

103^D CONGRESS
2^D SESSION

H. R. 4426

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 1994

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for for-
5 eign operations, export financing, and related programs
6 for the fiscal year ending September 30, 1995, and for
7 other purposes, namely:

1 TITLE I—MULTILATERAL ECONOMIC
2 ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
6 RECONSTRUCTION AND DEVELOPMENT

7 For payment to the International Bank for Recon-
8 struction and Development by the Secretary of the Treas-
9 ury, for the United States share of the paid-in share por-
10 tion of the increases in capital stock for the General Cap-
11 ital Increase, \$23,009,101, to remain available until
12 expended~~(1)~~: *Provided, That one quarter of such funds*
13 *may be obligated only after April 1, 1995: Provided further,*
14 *That one quarter of such funds may be obligated only after*
15 *September 1, 1995: Provided further, That not more than*
16 *twenty-one days prior to the obligation of each such sum,*
17 *the Secretary shall submit a certification to the Committees*
18 *on Appropriations that the Bank has not approved any*
19 *loans to Iran since October 1, 1994, or the President of the*
20 *United States certifies that withholding of these funds is*
21 *contrary to the national interest of the United States.*

22 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

23 The United States Governor of the International
24 Bank for Reconstruction and Development may subscribe
25 without fiscal year limitation to the callable capital portion

1 of the United States share of increases in capital stock
2 in an amount not to exceed \$743,923,914.

3 For payment to the International Bank for Recon-
4 struction and Development by the Secretary of the Treas-
5 ury, for the United States contribution to the Global Envi-
6 ronment Facility (GEF), ~~(2)\$88,800,000~~ \$98,800,000, to
7 remain available until expended.

8 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
9 ASSOCIATION

10 For payment to the International Development Asso-
11 ciation by the Secretary of the Treasury,
12 ~~(3)\$1,235,000,000~~ \$1,207,750,000, for the United States
13 contribution to the replenishment, to remain available
14 until expended.

15 CONTRIBUTION TO THE INTERNATIONAL FINANCE
16 CORPORATION

17 For payment to the International Finance Corpora-
18 tion by the Secretary of the Treasury, \$68,743,028, for
19 the United States share of the increase in subscriptions
20 to capital stock, to remain available until expended: *Pro-*
21 *vided*, That of the amount appropriated under this head-
22 ing not more than \$5,364,000 may be expended for the
23 purchase of such stock in fiscal year 1995.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-American Development
4 Bank by the Secretary of the Treasury, for the United
5 States share of the paid-in share portion of the increase
6 in capital stock, \$28,111,959, and for the United States
7 share of the increases in the resources of the Fund for
8 Special Operations, \$21,338,000, and for the United
9 States share of the capital stock of the Inter-American In-
10 vestment Corporation, \$190,000, to remain available until
11 expended ~~(4):~~ *Provided*, That \$25,269,224 of the amount
12 made available for the paid-in share portion of the in-
13 crease in capital stock, and \$20,317,000 of the resources
14 of the Fund for Special Operations shall be subject to the
15 regular notification procedures of the Committees on Ap-
16 propriations.

17 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

18 The United States Governor of the Inter-American
19 Development Bank may subscribe without fiscal year limi-
20 tation to the callable capital portion of the United States
21 share of such capital stock in an amount not to exceed
22 \$1,594,568,180.

23 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
24 MULTILATERAL INVESTMENT FUND

25 For payment to the Enterprise for the Americas Mul-
26 tilateral Investment Fund by the Secretary of the Treas-

1 ury, for the United States contribution to the Fund to
2 be administered by the Inter-American Development
3 Bank, \$75,000,000 to remain available until expended.

4 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

5 For the United States contribution by the Secretary
6 of the Treasury to the increases in resources of the Asian
7 Development Fund, as authorized by the Asian Devel-
8 opment Bank Act, as amended (Public Law 89-369),
9 \$167,960,000, to remain available until expended.

10 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

11 For payment to the African Development Fund by
12 the Secretary of the Treasury, \$124,229,309, for the
13 United States contribution to the African Development
14 Fund, to remain available until expended ~~(5):~~ *Provided,*
15 ~~That of the funds appropriated under this heading,~~
16 ~~\$20,000,000 shall be subject to the regular notification~~
17 ~~procedures of the Committees on Appropriations.~~

18 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

19 For payment to the African Development Bank by
20 the Secretary of the Treasury, for the paid-in share por-
21 tion of the United States share of the increase in capital
22 stock, \$133,000, to remain available until expended.

23 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

24 The United States Governor of the African Develop-
25 ment Bank may subscribe without fiscal year limitation
26 to the callable capital portion of the United States share

1 of such capital stock in an amount not to exceed
2 \$2,002,540.

3 CONTRIBUTION TO THE EUROPEAN BANK FOR
4 RECONSTRUCTION AND DEVELOPMENT

5 For payment to the European Bank for Reconstruc-
6 tion and Development by the Secretary of the Treasury,
7 \$69,180,353, for the United States share of the paid-in
8 share portion of the initial capital subscription, to remain
9 available until expended: *Provided, That (6) during fiscal*
10 *year 1995 the number of shares of stock purchased shall*
11 *be not more than 600 of the amount appropriated under*
12 *this heading not more than \$7,002,000 may be expended*
13 *for the purchase of such stock in fiscal year 1995.*

14 LIMITATION OF CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the European Bank
16 for Reconstruction and Development may subscribe with-
17 out fiscal year limitation to the callable capital portion of
18 the United States share of such capital stock in an amount
19 not to exceed \$161,420,824.

20 ~~(7)~~ CONTRIBUTION TO THE ENHANCED STRUCTURAL AD-
21 JUSTMENT FACILITY OF THE INTERNATIONAL MONE-
22 TARY FUND

23 *For payment to the Interest Subsidy Account of the*
24 *Enhanced Structural Adjustment Facility of the Inter-*
25 *national Monetary Fund, \$25,000,000, to remain available*
26 *until expended.*

1 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

2 For necessary expenses to carry out the provisions
3 of section 301 of the Foreign Assistance Act of 1961, and
4 of section 2 of the United Nations Environment Program
5 Participation Act of 1973, ~~(8)\$366,000,000~~
6 *\$382,000,000: Provided, That none of the funds appro-*
7 *priated under this heading shall be made available for the*
8 *United Nations Fund for Science and Technology: Pro-*
9 *vided further, That funds appropriated under this heading*
10 *may be made available for the International Atomic En-*
11 *ergy Agency only if the Secretary of State determines (and*
12 *so reports to the Congress) that Israel is not being denied*
13 *its right to participate in the activities of that Agency:*
14 *Provided further, That of the funds appropriated under*
15 *this heading that are made available for the United Na-*
16 *tions Children's Fund (UNICEF), 75 per centum shall be*
17 *obligated and expended no later than thirty days after the*
18 *date of enactment of this Act and 25 per centum shall*
19 *be expended within thirty days from the start of*
20 *UNICEF's fourth quarter of operations for 1995: Pro-*
21 *vided further, That none of the funds appropriated under*
22 *this heading that are made available to the United Nations*
23 *Population Fund (UNFPA) shall be made available for*
24 *activities in the People's Republic of China: Provided fur-*
25 *ther, That not more than ~~(9)\$40,000,000~~ \$60,000,000 of*

1 the funds appropriated under this heading may be made
2 available to the UNFPA: *Provided further*, That not more
3 than one-half of this amount may be provided to UNFPA
4 before March 1, 1995, and that no later than February
5 15, 1995, the Secretary of State shall submit a report to
6 the Committees on Appropriations indicating the amount
7 UNFPA is budgeting for the People's Republic of China
8 in 1995: *Provided further*, That any amount UNFPA
9 plans to spend in the People's Republic of China in 1995
10 above \$7,000,000, shall be deducted from the amount of
11 funds provided to UNFPA after March 1, 1995 pursuant
12 to the previous provisos: *Provided further*, That with re-
13 spect to any funds appropriated under this heading that
14 are made available to UNFPA, UNFPA shall be required
15 to maintain such funds in a separate account and not com-
16 mingle them with any other funds(10):~~*Provided further*,~~
17 ~~That notwithstanding the fifth proviso of this heading, if~~
18 ~~UNFPA decides not to initiate a new program in China~~
19 ~~after its current program ends in 1995, up to an addi-~~
20 ~~tional \$20,000,000 of funds appropriated under this head-~~
21 ~~ing may be made available to UNFPA.~~

22 TITLE II—BILATERAL ECONOMIC ASSISTANCE

23 FUNDS APPROPRIATED TO THE PRESIDENT

24 For expenses necessary to enable the President to
25 carry out the provisions of the Foreign Assistance Act of

1 1961, and for other purposes, to remain available until
2 September 30, 1995, unless otherwise specified herein, as
3 follows:

4 AGENCY FOR INTERNATIONAL DEVELOPMENT

5 DEVELOPMENT ASSISTANCE FUND

6 For necessary expenses to carry out the provisions
7 of sections 103 through 106 of the Foreign Assistance Act
8 of 1961, ~~(11)\$811,000,000~~ \$882,000,000, to remain
9 available until September 30, 1996~~(12)~~: *Provided, That*
10 *of the funds appropriated under this title under the heading*
11 *“Agency for International Development”, (1) not less than*
12 *\$285,000,000 shall be made available for activities which*
13 *have as their objective the reduction of childhood mortality,*
14 *including such activities as immunization programs, oral*
15 *rehydration programs, and education programs which ad-*
16 *dress improved nutrition, and water and sanitation pro-*
17 *grams, (2) not less than \$135,000,000 shall be made avail-*
18 *able for basic education programs, and (3) not less than*
19 *\$25,000,000 shall be made available for micronutrient pro-*
20 *grams(13): Provided further, That of the funds appro-*
21 *priated under title II, not less than \$600,000 shall be avail-*
22 *able to support democracy programs in the People’s Repub-*
23 *lic of China: Provided further, That the Agency for Inter-*
24 *national Development shall make these funds available for*
25 *the activities described in the previous proviso on a grant*

1 *basis to United States nongovernment organizations, on a*
2 *competitive selection basis, notwithstanding any other pro-*
3 *vision of law: Provided further, That the following section*
4 *of the bill is null and void: Provided further, That of the*
5 *funds appropriated under this heading, not less than*
6 *\$600,000, shall be available to support parliamentary*
7 *training and democracy programs in the People's Republic*
8 *of China: Provided further, That the Agency for Inter-*
9 *national Development shall make funds available for the ac-*
10 *tivities described in the previous proviso on a grant basis*
11 *to the International Republican Institute and the National*
12 *Democratic Institute, notwithstanding any other provision*
13 *of law(14): Provided further, That of the funds appro-*
14 *priated under this heading, not less than \$1,000,000 shall*
15 *be available for support of displaced Burmese including for*
16 *cross border activities notwithstanding any other provision*
17 *of law(15): Provided further, That of the funds appro-*
18 *priated under this heading, not less than \$600,000 shall be*
19 *available to support parliamentary training and democ-*
20 *racy programs in the People's Republic of China: Provided*
21 *further, That the Agency for International Development*
22 *shall make funds available for the activities described in*
23 *the previous proviso on a grant basis to the International*
24 *Republican Institute and the National Democratic Insti-*
25 *tute, notwithstanding any other provision of law(16): Pro-*

1 *vided further, That of the funds appropriated under this*
2 *heading, not less than \$15,100,000 shall be made available*
3 *for the Cooperative Association of States for Scholarships*
4 *Program and not less than \$3,000,000 shall be made avail-*
5 *able for the East Central European Scholarship Program.*
6 **(17)** *Notwithstanding any other provision of this Act, none*
7 *of the funds appropriated under this Act shall be available*
8 *to support parliamentary training and democracy pro-*
9 *grams in the People's Republic of China.*

10 POPULATION, DEVELOPMENT ASSISTANCE

11 For necessary expenses to carry out the provisions
12 of section 104(b), \$450,000,000, to remain available until
13 September 30, 1996: *Provided, That none of the funds*
14 *made available in this Act nor any unobligated balances*
15 *from prior appropriations may be made available to any*
16 *organization or program which, as determined by the*
17 *President of the United States, supports or participates*
18 *in the management of a program of coercive abortion or*
19 *involuntary sterilization: *Provided further, That none of**
20 *the funds made available under this heading may be used*
21 *to pay for the performance of abortion as a method of*
22 *family planning or to motivate or coerce any person to*
23 *practice abortions; and that in order to reduce reliance*
24 *on abortion in developing nations, funds shall be available*
25 *only to voluntary family planning projects which offer, ei-*
26 *ther directly or through referral to, or information about*

1 access to, a broad range of family planning methods and
2 services: *Provided further*, That in awarding grants for
3 natural family planning under section 104 of the Foreign
4 Assistance Act of 1961 no applicant shall be discriminated
5 against because of such applicant's religious or conscien-
6 tious commitment to offer only natural family planning;
7 and, additionally, all such applicants shall comply with the
8 requirements of the previous proviso**(18)**: *Provided fur-*
9 *ther*, That for purposes of this or any other Act authorizing
10 or appropriating funds for foreign operations, export fi-
11 nancing, and related programs, the term "motivate", as it
12 relates to family planning assistance, shall not be construed
13 to prohibit the provision, consistent with local law, of infor-
14 mation or counselling about, or referral for, all pregnancy
15 options including abortion: *Provided further*, That nothing
16 in this subsection shall be construed to alter any existing
17 statutory prohibitions against abortion under section 104
18 of the Foreign Assistance Act of 1961**(19)**: *Provided fur-*
19 *ther*, That of the funds appropriated under this heading,
20 not less than an amount equal to the amount made avail-
21 able for the Office of Population of the Agency for Inter-
22 national Development in fiscal year 1994 shall be made
23 available to that office.

24 DEVELOPMENT FUND FOR AFRICA

25 For necessary expenses to carry out the provisions
26 of chapter 10 of part I of the Foreign Assistance Act of

1 1961, ~~(20)\$790,000,000~~ \$802,000,000, to remain avail-
2 able until September 30, 1996: *Provided*, That none of the
3 funds appropriated by this Act to carry out chapters 1
4 and 10 of part I of the Foreign Assistance Act of 1961
5 shall be transferred to the Government of Zaire: *Provided*
6 *further*, That funds appropriated under this heading which
7 are made available for activities supported by the South-
8 ern Africa Development Community shall be made avail-
9 able notwithstanding section 512 of this Act and section
10 620(q) of the Foreign Assistance Act of 1961.

11 PRIVATE AND VOLUNTARY ORGANIZATIONS

12 None of the funds appropriated or otherwise made
13 available by this Act for development assistance may be
14 made available to any United States private and voluntary
15 organization, except any cooperative development organi-
16 zation, which obtains less than 20 per centum of its total
17 annual funding for international activities from sources
18 other than the United States Government: *Provided*, That
19 the requirements of the provisions of section 123(g) of the
20 Foreign Assistance Act of 1961 and the provisions on pri-
21 vate and voluntary organizations in title II of the “Foreign
22 Assistance and Related Programs Appropriations Act,
23 1985” (as enacted in Public Law 98–473) shall be super-
24 seded by the provisions of this section.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses for international disaster re-
3 lief, rehabilitation, and reconstruction assistance pursuant
4 to section 491 of the Foreign Assistance Act of 1961, as
5 amended, \$169,998,000 to remain available until ex-
6 pended.

7 DEBT RESTRUCTURING

8 For the cost, as defined in section 13201 of the
9 Budget Enforcement Act of 1990, of modifying direct
10 loans and loan guarantees, as the President may deter-
11 mine, for which funds have been appropriated or otherwise
12 made available for programs within the International Af-
13 fairs Budget Function 150, \$7,000,000, to remain
14 available until expended(21):~~Provided, That it is the~~
15 ~~sense of the Congress that a program should be developed~~
16 ~~to undertake direct buy backs of bilateral debt from eligi-~~
17 ~~ble poor and lower-middle income countries with local cur-~~
18 ~~rency offsets to fund development and environmental ac-~~
19 ~~tivities, provided that such a program would have no budg-~~
20 ~~etary impact. The Administration should consider how cre-~~
21 ~~ative use of the sale of impaired Third World debts might~~
22 ~~be used to lower debt overhangs and generate local cur-~~
23 ~~rencies for development and environmental activities.~~

1 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM
2 ACCOUNT

3 For the subsidy cost of direct loans and loan guaran-
4 tees, \$1,500,000, as authorized by section 108 of the For-
5 eign Assistance Act of 1961, as amended: *Provided*, That
6 such costs shall be as defined in section 502 of the Con-
7 gressional Budget Act of 1974(22): *Provided further*,
8 *That guarantees of loans made under this heading in sup-*
9 *port of microenterprise activities may guarantee up to 70*
10 *percent of the principal amount of any such loans notwith-*
11 *standing section 108 of the Foreign Assistance Act of 1961.*
12 In addition, for administrative expenses to carry out pro-
13 grams under this heading, \$500,000, all of which may be
14 transferred to and merged with the appropriation for Op-
15 erating Expenses of the Agency for International Develop-
16 ment.

17 HOUSING GUARANTY PROGRAM ACCOUNT

18 For the subsidy cost, as defined in section 13201 of
19 the Budget Enforcement Act of 1990, of guaranteed loans
20 authorized by sections 221 and 222 of the Foreign Assist-
21 ance Act of 1961, \$19,300,000: *Provided*, That these
22 funds are available to subsidize loan principal, 100 percent
23 of which shall be guaranteed, pursuant to the authority
24 of such sections: *Provided further*, That the President shall
25 enter into commitments to guarantee such loans in the
26 full amount provided under this heading, subject to the

1 availability of qualified applicants for such guarantees. In
 2 addition, for administrative expenses to carry out guaran-
 3 teed loan programs, \$8,000,000, all of which may be
 4 transferred to and merged with the appropriation for Op-
 5 erating Expenses of the Agency for International Develop-
 6 ment: *Provided further*, That commitments to guarantee
 7 loans under this heading may be entered into notwith-
 8 standing the second and third sentences of section 222(a)
 9 and, with regard to programs for Eastern Europe and pro-
 10 grams for the benefit of South Africans disadvantaged by
 11 apartheid, section 223(j) of the Foreign Assistance Act of
 12 1961: *Provided further*, That none of the funds appro-
 13 priated under this heading shall be obligated except
 14 through the regular notification procedures of the Com-
 15 mittees on Appropriations.

16 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
 17 DISABILITY FUND

18 For payment to the “Foreign Service Retirement and
 19 Disability Fund”, as authorized by the Foreign Service
 20 Act of 1980, \$45,118,000.

21 OPERATING EXPENSES OF THE AGENCY FOR
 22 INTERNATIONAL DEVELOPMENT

23 For necessary expenses to carry out the provisions
 24 of section 667, ~~(23)\$517,500,000~~ \$517,800,000~~(24):-~~
 25 *Provided*, That of this amount not more than \$900,000
 26 may be made available to pay for printing costs.

1 OPERATING EXPENSES OF THE AGENCY FOR INTER-
 2 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
 3 GENERAL

4 For necessary expenses to carry out the provisions
 5 of section 667, \$39,118,000, which sum shall be available
 6 for the Office of the Inspector General of the Agency for
 7 International Development.

8 ECONOMIC SUPPORT FUND

9 For necessary expenses to carry out the provisions
 10 of chapter 4 of part II, ~~(25)\$2,339,000,000~~
 11 *\$2,359,200,000*, to remain available until September 30,
 12 1996~~(26):—Provided~~, That any funds appropriated under
 13 ~~this heading~~ that are made available for Israel shall be
 14 made available on a grant basis as a cash transfer and
 15 shall be disbursed within thirty days of enactment of this
 16 Act ~~or by October 31, 1994, whichever is later: Provided~~
 17 *further*, That any funds appropriated under this heading
 18 that are made available for Egypt shall be provided on
 19 a grant basis, of which sum cash transfer assistance may
 20 be provided with the understanding that Egypt will under-
 21 take significant economic reforms which are additional to
 22 those which were undertaken in previous fiscal years: *Pro-*
 23 *vided, That of the funds appropriated under this heading,*
 24 *not less than \$1,200,000,000 shall be available only for Is-*
 25 *rael, which sum shall be available on a grant basis as a*
 26 *cash transfer and shall be disbursed within thirty days of*

1 *enactment of this Act or by October 31, 1994, whichever*
2 *is later: Provided further, That not less than \$815,000,000*
3 *shall be available only for Egypt, which sum shall be pro-*
4 *vided on a grant basis, and of which sum cash transfer as-*
5 *sistance may be provided, with the understanding that*
6 *Egypt will undertake significant economic reforms which*
7 *are additional to those which were undertaken in previous*
8 *fiscal years, and of which not less than \$200,000,000 shall*
9 *be provided as Commodity Import Program assistance:*
10 *Provided further, That in exercising the authority to pro-*
11 *vide cash transfer assistance for Israel and Egypt, the*
12 *President shall ensure that the level of such assistance*
13 *does not cause an adverse impact on the total level of non-*
14 *military exports from the United States to each such coun-*
15 *try: Provided further, That it is the sense of the Congress*
16 *that the recommended levels of assistance for Egypt and*
17 *Israel are based in great measure upon their continued*
18 *participation in the Camp David Accords and upon the*
19 *Egyptian-Israeli peace treaty: Provided further, That none*
20 *of the funds appropriated under this heading shall be*
21 *made available for Zaire:(27): Provided further, That not*
22 *more than \$50,000,000 of the funds appropriated under this*
23 *heading may be made available to finance tied-aid credits,*
24 *unless the President determines it is in the national interest*
25 *to provide in excess of \$50,000,000 and so notifies the Com-*

1 *mittees on Appropriations through the regular notification*
2 *procedures of the Committees on Appropriations: Provided*
3 *further, That none of the funds made available or limited*
4 *by this Act may be used for tied-aid credits or tied-aid*
5 *grants except through the regular notification procedures of*
6 *the Committees on Appropriations: Provided further, That*
7 *none of the funds appropriated by this Act to carry out*
8 *the provisions of chapters 1 and 10 of part I of the Foreign*
9 *Assistance Act of 1961 may be used for tied-aid credits: Pro-*
10 *vided further, That as used in this heading the term “tied-*
11 *aid credits” means any credit, within the meaning of sec-*
12 *tion 15(h)(1) of the Export-Import Bank Act of 1945, which*
13 *is used for blended or parallel financing, as those terms are*
14 *defined by sections 15(h) (4) and (5), respectively, of such*
15 *Act(28): Provided further, That not less than \$15,000,000*
16 *of the funds appropriated under this heading shall be made*
17 *available for Cyprus to be used only for scholarships,*
18 *bicommunal projects, and measures aimed at the reunifica-*
19 *tion of the island and designed to reduce tensions, and pro-*
20 *mote peace and cooperation between the two communities*
21 *on Cyprus(29): Provided further, That not less than*
22 *\$7,000,000 of the funds appropriated under this heading*
23 *shall be available only for the Middle East Regional Co-*
24 *operation Program.*

1 INTERNATIONAL FUND FOR IRELAND

2 For necessary expenses to carry out the provisions
3 of part I of the Foreign Assistance Act of 1961, up to
4 ~~(30)\$19,600,000~~ \$15,000,000, which shall be available for
5 the United States contribution to the International Fund
6 for Ireland and shall be made available in accordance with
7 the provisions of the Anglo-Irish Agreement Support Act
8 of 1986 (Public Law 99-415): *Provided*, That such
9 amount shall be expended at the minimum rate necessary
10 to make timely payment for projects and activities: *Pro-*
11 *vided further*, That funds made available under this head-
12 ing shall remain available until expended.

13 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
14 STATES

15 (a) For necessary expenses to carry out the provisions
16 of the Foreign Assistance Act of 1961 and the Support
17 for East European Democracy (SEED) Act of 1989,
18 ~~(31)\$360,000,000~~ \$359,000,000, to remain available until
19 expended, which shall be available, notwithstanding any
20 other provision of law, for economic assistance ~~(32)~~ *and*
21 *for related* programs for Eastern Europe and the Baltic
22 States.

23 (b) Funds appropriated under this heading or in prior
24 appropriations Acts that are or have been made available
25 for an Enterprise Fund may be deposited by such Fund
26 in interest-bearing accounts prior to the Fund's disburse-

1 ment of such funds for program purposes. The Fund may
 2 retain for such program purposes any interest earned on
 3 such deposits without returning such interest to the Treas-
 4 ury of the United States and without further appropria-
 5 tion by the Congress. Funds made available for Enterprise
 6 Funds shall be expended at the minimum rate necessary
 7 to make timely payment for projects and activities.

8 (c) Funds appropriated under this heading shall be
 9 considered to be economic assistance under the Foreign
 10 Assistance Act of 1961 for purposes of making available
 11 the administrative authorities contained in that Act for
 12 the use of economic assistance.

13 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
 14 THE FORMER SOVIET UNION

15 (a) For necessary expenses to carry out the provisions
 16 of chapter 11 of part I of the Foreign Assistance Act of
 17 1961 and the FREEDOM Support Act, for assistance for
 18 the new independent states of the former Soviet Union
 19 and for related programs, ~~(33)\$875,500,000~~
 20 *\$839,000,000*, to remain available until expended: *Pro-*
 21 *vided*, That the provisions of 498B(j) of the Foreign As-
 22 sistance Act of 1961 shall apply to funds appropriated by
 23 this paragraph~~(34)~~: *Provided further, That the President*
 24 *may transfer such funds allocated to the Russian Federa-*
 25 *tion to appropriations available to the Department of De-*
 26 *fense and other agencies of the United States Government*

1 *for the purposes of cooperative threat reduction and coun-*
2 *tering the proliferation of weapons of mass destruction*
3 *under the provisions of title XII of Public Law 103–160*
4 *and section 575 of Public Law 103–87: Provided further,*
5 *That the amounts transferred shall be available subject to*
6 *the same terms and conditions as the appropriations to*
7 *which transferred: Provided further, That the authority to*
8 *make transfers pursuant to this provision is in addition*
9 *to any other transfer authority of the President: Provided*
10 *further, That the total amount of any transfer authority*
11 *utilized shall not exceed the amount transferred by the De-*
12 *partment of Defense to the Department of State and other*
13 *agencies under title VI of Public Law 103–87.*

14 (b) None of the funds appropriated under this head-
15 ing shall be transferred to the Government of Russia—

16 (1) unless that Government is making progress
17 in implementing comprehensive economic reforms
18 based on market principles, private ownership, nego-
19 tiating repayment of commercial debt, respect for
20 commercial contracts, and equitable treatment of
21 foreign private investment; and

22 (2) if that Government applies or transfers
23 United States assistance to any entity for the pur-
24 pose of expropriating or seizing ownership or control
25 of assets, investments, or ventures.

1 (c) Funds may be furnished without regard to sub-
2 section (b) if the President determines that to do so is
3 in the national interest.

4 (d) None of the funds appropriated under this head-
5 ing shall be made available to any government of the new
6 independent states of the former Soviet Union if that gov-
7 ernment directs any action in violation of the territorial
8 integrity or national sovereignty of any other new inde-
9 pendent state, such as those violations included in Prin-
10 ciple Six of the Helsinki Final Act: *Provided*, That such
11 funds may be made available without regard to the restric-
12 tion in this subsection if the President determines that
13 to do so is in the national interest of the United States:
14 *Provided further*, That the restriction of this subsection
15 shall not apply to the use of such funds for the provision
16 of assistance for purposes of humanitarian, disaster and
17 refugee relief(35):~~*Provided further*, That thirty days~~
18 ~~after the date of enactment of this Act, and then annually~~
19 ~~thereafter, the Secretary of State shall report to the Com-~~
20 ~~mittees on Appropriations on steps taken by the govern-~~
21 ~~ments of the new independent states concerning violations~~
22 ~~referred to in this subsection: *Provided further*, That in~~
23 ~~preparing this report the Secretary shall consult with the~~
24 ~~United States Representative to the Conference on Secu-~~
25 ~~rity and Cooperation in Europe.~~

1 (e) None of the funds appropriated under this head-
2 ing for the new independent states of the former Soviet
3 Union shall be made available for any state to enhance
4 its military capability: *Provided*, That this restriction does
5 not apply to demilitarization, defense conversion or non-
6 proliferation programs, or programs to support troop
7 withdrawal including through the support of an officer re-
8 settlement program, and technical assistance for the hous-
9 ing sector.

10 (f) Funds appropriated under this heading shall be
11 subject to the regular ~~(36)~~ *reprogramming notification*
12 procedures of the Committees on Appropriations.

13 ~~(37)~~ *(g) Funds made available in this Act for assist-*
14 *ance to the New Independent States of the former Soviet*
15 *Union shall be subject to the provisions of section 117 (relat-*
16 *ing to environment and natural resources) of the Foreign*
17 *Assistance Act of 1961.*

18 ~~(38)~~ ~~(g)~~ *(h) Funds appropriated under this heading*
19 *may be made available for assistance for Mongolia.*

20 ~~(39)~~ ~~(h)~~ *(i) Funds made available in this Act for as-*
21 *sistance to the new independent states of the former So-*
22 *viet Union shall be provided to the maximum extent fea-*
23 *sible through the private sector, including private vol-*
24 *untary organizations and nongovernmental organizations*
25 *functioning in the new independent states.*

1 **(40)** *(j) Of the funds appropriated under this heading,*
2 *\$15,000,000 shall be available only for a family planning*
3 *program for the new independent states of the former Soviet*
4 *Union comparable to the family planning program cur-*
5 *rently administered by the Agency for International Devel-*
6 *opment in the Central Asian Republics and focusing on*
7 *population assistance which provides an alternative to*
8 *abortion: Provided, That of such amount, \$6,000,000 shall*
9 *be available only for such a family planning program in*
10 *Russia, \$3,000,000 shall be available only for such a family*
11 *planning program in Ukraine, Moldova, and Belarus, and*
12 *\$6,000,000 shall be available only for such a family plan-*
13 *ning program in the Central Asian Republics.*

14 **(41)** *(k) Of the funds appropriated under this heading,*
15 *not less than \$150,000,000 shall be available for programs*
16 *for Ukraine: Provided, That of these funds not less than*
17 *\$25,000,000 shall be made available for land privatization*
18 *activities and development of small and medium size busi-*
19 *nesses, including agriculture enterprises.*

20 **(42)** *(l) Not less than \$75,000,000 of the funds appro-*
21 *priated under this heading shall be available for programs*
22 *and activities for Armenia.*

23 **(43)** *(m) Not less than \$50,000,000 of the funds appro-*
24 *priated under this heading shall be made available for pro-*
25 *grams for Georgia.*

1 **(44)** *(n) Not less than \$5,000,000 of the funds appro-*
2 *priated under this heading shall be made available for the*
3 *capitalization of a Trans-Caucasus Enterprise Fund.*

4 **(45)** *(o) Every 180 days, the Administrator for the*
5 *Agency for International Development shall provide the*
6 *Committees on Appropriations with a report listing grants*
7 *and contracts issued from funds under this heading includ-*
8 *ing the type, amount and country where assistance is ex-*
9 *pended.*

10 **(46)** *(p) Not less than \$15,000,000 of the funds appro-*
11 *priated under this heading shall be spent to support and*
12 *expand the hospital partnerships program conducted*
13 *throughout the NIS.*

14 **(47)** *(q) Of the programs funded under this heading,*
15 *it is the sense of the Senate that a volunteer United States*
16 *Tech Corps should be funded for the purpose of providing*
17 *technical assistance to the new independent states of the*
18 *former Soviet Union, particularly in the refrigeration of*
19 *perishable commodities.*

20 **(48)** *(r) Not less than \$50,000,000 of the funds appro-*
21 *priated under this heading shall be made available for pro-*
22 *grams and activities which match United States private*
23 *sector resources with Federal funds.*

24 **(49)** *(s) Within sixty days of enactment of this Act,*
25 *the Administrator of the Agency for International Develop-*

1 *ment shall report to the Committees on Appropriations con-*
2 *cerning the feasibility of developing an outreach program*
3 *which would make grants to partnerships between Amer-*
4 *ican communities and organizations with cultural and eth-*
5 *nic ties to the new independent states and their counter-*
6 *parts in the new independent states.*

7 **(50)** *(t) Of the funds appropriated for the New Inde-*
8 *pendent States of the former Soviet Union and Eastern Eu-*
9 *rope, not to exceed \$15,000,000, shall be made available to*
10 *the Federal Bureau of Investigation for transnational and*
11 *international law enforcement cooperation with the New*
12 *Independent States of the former Soviet Union and the*
13 *emerging democracies of Eastern Europe to combat orga-*
14 *nized crime.*

15 **(51)** *(u) Not less than \$15,000,000 of the funds appro-*
16 *priated under this heading shall be made available to the*
17 *International Criminal Investigative Training Assistance*
18 *Program (ICITAP) to undertake a police development and*
19 *training program to assist in institutional reforms and im-*
20 *prove the professional capabilities of Russian police agen-*
21 *cies: Provided, That funds made available shall be used to*
22 *support the following activities:*

23 *(1) develop and professionalize the criminal jus-*
24 *tice agencies;*

1 ury if the grantee uses the resulting interest for the pur-
2 pose for which the grant was made: *Provided further*, That
3 this provision applies with respect to both interest earned
4 before and interest earned after the enactment of this pro-
5 vision: *Provided further*, That notwithstanding section
6 505(a)(2) of the African Development Foundation Act, in
7 exceptional circumstances the board of directors of the
8 Foundation may waive the dollar limitation contained in
9 that section with respect to a project: *Provided further*,
10 That the Foundation shall provide a report to the Com-
11 mittees on Appropriations after each time such waiver au-
12 thority is exercised.

13 INTER-AMERICAN FOUNDATION

14 For expenses necessary to carry out the functions of
15 the Inter-American Foundation in accordance with the
16 provisions of section 401 of the Foreign Assistance Act
17 of 1969, and to make such contracts and commitments
18 without regard to fiscal year limitations, as provided by
19 section 9104, title 31, United States Code, \$30,960,000.

20 PEACE CORPS

21 For expenses necessary to carry out the provisions
22 of the Peace Corps Act (75 Stat. 612), ~~(53)~~\$219,745,000
23 \$221,745,000, including the purchase of not to exceed five
24 passenger motor vehicles for administrative purposes for
25 use outside of the United States: *Provided*, That none of
26 the funds appropriated under this heading shall be used

1 to pay for abortions: *Provided further*, That funds appro-
2 priated under this heading shall remain available until
3 September 30, 1996.

4 DEPARTMENT OF STATE

5 INTERNATIONAL NARCOTICS CONTROL

6 For necessary expenses to carry out the provisions
7 of section 481 of the Foreign Assistance Act of 1961,
8 ~~(54)\$115,000,000~~ \$100,000,000~~(55)~~: *Provided*, That
9 during fiscal year 1995, the Department of State may also
10 use the authority of section 608 of the Foreign Assistance
11 Act of 1961, without regard to its restrictions, to receive
12 non-lethal excess property from an agency of the United
13 States Government for the purpose of providing it to a for-
14 eign country under chapter 8 of part I of that Act subject
15 to the regular notification procedures of the Committees on
16 Appropriations: *Provided further*, That notwithstanding
17 sections 489A and 490A of the Foreign Assistance Act of
18 1961 and any reference in any provision of law to such
19 sections, and notwithstanding section 6(a) of the Inter-
20 national Narcotics Control Act of 1992, the provisions of
21 sections 489 and 490 of the Foreign Assistance Act of 1961
22 shall apply during fiscal year 1995.

23 MIGRATION AND REFUGEE ASSISTANCE

24 For expenses, not otherwise provided for, necessary
25 to enable the Secretary of State to provide, as authorized
26 by law, a contribution to the International Committee of

1 the Red Cross and assistance to refugees, including con-
 2 tributions to the Intergovernmental Committee for Migra-
 3 tion and the United Nations High Commissioner for Refu-
 4 gees; salaries and expenses of personnel and dependents
 5 as authorized by the Foreign Service Act of 1980; allow-
 6 ances as authorized by sections 5921 through 5925 of title
 7 5, United States Code; hire of passenger motor vehicles;
 8 and services as authorized by section 3109 of title 5,
 9 United States Code, ~~(56)\$670,688,000~~ \$671,000,000:
 10 *Provided*, That not more than \$11,500,000 of the funds
 11 appropriated under this heading shall be available for the
 12 administrative expenses of the Office of Refugee Programs
 13 of the Department of State~~(57)~~: *Provided further*, That
 14 *not less than \$80,000,000 shall be made available for refu-*
 15 *gees from the former Soviet Union and Eastern Europe and*
 16 *other refugees resettling in Israel.*

17 ~~(58)~~REFUGEE RESETTLEMENT ASSISTANCE

18 For necessary expenses for the targeted assistance
 19 program authorized by title IV of the Immigration and
 20 Nationality Act and section 501 of the Refugee Education
 21 Assistance Act of 1980 and administered by the Office of
 22 Refugee Resettlement of the Department of Health and
 23 Human Services, in addition to amounts otherwise avail-
 24 able for such purposes, ~~\$12,000,000.~~

1 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
2 ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of section 2(c) of the Migration and Refugee Assistance
5 Act of 1962, as amended (22 U.S.C. 260(c)),
6 \$50,000,000, to remain available until expended: *Pro-*
7 *vided*, That the funds made available under this heading
8 are appropriated notwithstanding the provisions contained
9 in section 2(c)(2) of the Migration and Refugee Assistance
10 Act of 1962 which would limit the amount of funds which
11 could be appropriated for this purpose.

12 ANTI-TERRORISM ASSISTANCE

13 For necessary expenses to carry out the provisions
14 of chapter 8 of part II of the Foreign Assistance Act of
15 1961, \$15,244,000.

16 NONPROLIFERATION AND DISARMAMENT FUND

17 For necessary expenses for a “Nonproliferation and
18 Disarmament Fund”, \$10,000,000, to remain available
19 until expended, to promote bilateral and multilateral ac-
20 tivities: *Provided*, That such funds may be used pursuant
21 to the authorities contained in section 504 of the FREE-
22 DOM Support Act: *Provided further*, That such funds may
23 also be used for such countries other than the new inde-
24 pendent states of the former Soviet Union and inter-
25 national organizations when it is in the national security
26 interest of the United States to do so: *Provided further*,

1 That funds appropriated under this heading may be made
 2 available notwithstanding any other provision of law: *Pro-*
 3 *vided further*, That funds appropriated under this heading
 4 shall be subject to the regular notification procedures of
 5 the Committees on Appropriations.

6 TITLE III—MILITARY ASSISTANCE

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 INTERNATIONAL MILITARY EDUCATION AND TRAINING

9 For necessary expenses to carry out the provisions
 10 of section 541 of the Foreign Assistance Act of 1961,
 11 \$25,500,000: *Provided*, That up to \$300,000 of the funds
 12 appropriated under this heading may be made available
 13 for grant financed military education and training for any
 14 country whose annual per capita GNP exceeds \$2,349 on
 15 the condition that that country agrees to fund from its
 16 own resources the transportation cost and living allow-
 17 ances of its students: *Provided further*, That the civilian
 18 personnel for whom military education and training may
 19 be provided under this heading may also include members
 20 of national legislatures who are responsible for the over-
 21 sight and management of the military(59), *and may also*
 22 *include individuals who are not members of a government.*
 23 *Provided further*, That none of the funds appropriated
 24 under this heading shall be available for (60)Indonesia,
 25 Rwanda and Zaire(61):—*Provided further*, That none of

1 the funds appropriated by this Act shall be used to facili-
 2 tate the provision of IMET to Indonesia: *Provided further,*
 3 That a report is to be submitted to the Committees on
 4 Appropriations addressing how the proposed School of the
 5 Americas IMET program ~~(62)~~ *for fiscal year 1995 will*
 6 contribute to the promotion of human rights, respect for
 7 civilian authority and the rule of law, the establishment
 8 of legitimate judicial mechanisms for the military, and
 9 achieving the goal of right sizing military forces ~~(63)~~: *Pro-*
 10 *vided further, That none of the funds appropriated under*
 11 *this heading may be made available for Thailand or Algeria*
 12 *except through the regular notification procedures of the*
 13 *Committees on Appropriations: Provided further, That the*
 14 *Secretary of State shall submit, by February 1, 1995, a re-*
 15 *port to the Committees on Appropriations on the Thai mili-*
 16 *tary's support for the Khmer Rouge and the Thai Govern-*
 17 *ment's efforts to impede support for Burmese democracy ad-*
 18 *vocates, exiles, and refugees.*

19 ~~(64)~~ *MILITARY-TO-MILITARY CONTACT PROGRAM*

20 For necessary expenses, for the military-to-military
 21 contact program of the Department of Defense,
 22 \$12,000,000 ~~(65)~~, ~~to~~: *Provided, That of this amount,*
 23 *\$2,800,000 shall be made available only for activities in*
 24 *the area of responsibility of the United States Pacific Com-*

1 *mand and \$9,200,000 shall be made available only for ac-*
2 *tivities for East European countries and the Baltic States.*

3 FOREIGN MILITARY FINANCING PROGRAM

4 For expenses necessary for grants to enable the
5 President to carry out the provisions of section 23 of the
6 Arms Export Control Act, ~~(66)~~\$3,149,279,000
7 \$3,151,279,000~~(67)~~:*—Provided, That funds appropriated*
8 *by this paragraph that are made available for Israel and*
9 *Egypt shall be available only as grants: Provided further,*
10 *That the funds appropriated by this paragraph that are*
11 *made available for Israel shall be disbursed within thirty*
12 *days of enactment of this Act or by October 31, 1994,*
13 *whichever is later: Provided, That of the funds appro-*
14 *priated by this paragraph not less than \$1,800,000,000*
15 *shall be available for grants only for Israel, and not less*
16 *than \$1,300,000,000 shall be available for grants only for*
17 *Egypt: Provided further, That the funds appropriated by*
18 *this paragraph for Israel shall be disbursed within thirty*
19 *days of enactment of this Act or by October 31, 1994, which-*
20 *ever is later: Provided further, That to the extent that the*
21 *Government of Israel requests that funds be used for such*
22 *purposes, grants made available for Israel by this para-*
23 *graph shall, as agreed by Israel and the United States, be*
24 *available for advanced fighter aircraft programs or for other*
25 *advanced weapons systems, as follows: (1) up to*
26 *\$150,000,000 shall be available for research and develop-*

1 *ment in the United States; and (2) not less than*
2 *\$475,000,000 shall be available for the procurement in Is-*
3 *rael of defense articles and defense services, including re-*
4 *search and development. Provided further, That funds*
5 *made available under this paragraph shall be nonrepayable*
6 *notwithstanding any requirement in section 23 of the*
7 *Arms Export Control Act.*

8 For the cost, as defined in section 13201 of the
9 Budget Enforcement Act of 1990, of direct loans author-
10 ized by section 23 of the Arms Export Control Act as fol-
11 lows: cost of direct loans, \$47,917,000: *Provided, That*
12 *these funds are available to subsidize gross obligations for*
13 *the principal amount of direct loans of not to exceed*
14 *\$619,650,000: Provided further, That the rate of interest*
15 *charged on such loans shall be not less than the current*
16 *average market yield on outstanding marketable obliga-*
17 *tions of the United States of comparable maturities(68):—*
18 ~~*Provided further, That the principal amount of direct loans*~~
19 ~~*for Greece and Turkey shall be made available according*~~
20 ~~*to a 7 to 10 ratio: Provided further, That funds appro-*~~
21 ~~*priated under this heading shall be made available for*~~
22 ~~*Greece and Turkey only on a loan basis, and the principal*~~
23 ~~*amount of direct loans for each country shall not exceed*~~
24 ~~*the following: \$255,150,000 only for Greece and*~~
25 ~~*\$364,500,000 only for Turkey (69):—Provided further,*~~

1 That 25 percent of the principal amount of direct loans
2 for Turkey shall be withheld until the Secretary of State,
3 in consultation with the Secretary of Defense, has submit-
4 ted to the Committees on Appropriations a report address-
5 ing, among other things, the allegations of abuses against
6 civilians by the Turkish armed forces and the situation
7 in Cyprus, and a separate notification has been submitted
8 at least 15 days prior to the obligation of such funds:—
9 *Provided further, That 25 percent of the principal amount*
10 *of direct loans for Greece shall be withheld until the Sec-*
11 *retary of State has submitted to the Committees on Ap-*
12 *propriations a report on the allegations of Greek violations*
13 *of the United Nations sanctions against Serbia and of the*
14 *United Nations Charter, and a separate notification has*
15 *been submitted at least 15 days prior to the obligation*
16 *of such funds: Provided further, That any agreement for*
17 *the sale or provision of any defense article on the United*
18 *States Munitions List (established pursuant to section 38*
19 *of the Arms Export Control Act) to Turkey utilizing funds*
20 *made available under this heading that is entered into by*
21 *the United States during fiscal year 1995 shall expressly*
22 *state that the article will not be used in violation of inter-*
23 *national law, and any grant of any excess defense article*
24 *under the Foreign Assistance Act of 1961 during fiscal year*
25 *1995 shall be subject to the same condition: Provided fur-*

1 *ther, That in any case in which a report to the Congress*
2 *is required under section 3(c)(2) of the Arms Export Con-*
3 *trol Act regarding such a violation, such report shall also*
4 *be submitted to the Committees on Appropriations: Pro-*
5 *vided further, That the Secretary of State, in consultation*
6 *with the Secretary of Defense, shall submit a report to the*
7 *Committees on Appropriations by February 1, 1995, de-*
8 *scribing how United States assistance to Greece is promot-*
9 *ing respect for principles and obligations under the United*
10 *Nations sanctions against Serbia, the United Nations Char-*
11 *ter and the Helsinki Accords.*

12 None of the funds made available under this heading
13 shall be available to finance the procurement of defense
14 articles, defense services, or design and construction serv-
15 ices that are not sold by the United States Government
16 under the Arms Export Control Act unless the foreign
17 country proposing to make such procurements has first
18 signed an agreement with the United States Government
19 specifying the conditions under which such procurements
20 may be financed with such funds: *Provided, That all coun-*
21 *try and funding level increases in allocations shall be sub-*
22 *mitted through the regular notification procedures of sec-*
23 *tion 515 of this Act: Provided further, That funds made*
24 *available under this heading shall be obligated upon appor-*
25 *tionment in accordance with paragraph (5)(C) of title 31,*

1 United States Code, section 1501(a): *Provided further,*
2 That none of the funds appropriated under this heading
3 shall be available for Zaire, Sudan, Liberia, Guatemala,
4 ~~(70)Peru, and Malawi~~ and Peru: *Provided further,* That
5 none of the funds appropriated under this heading may
6 be made available for Colombia or Bolivia until the Sec-
7 retary of State ~~(71)certifies~~ *determines and reports* that
8 such funds will be used by such country primarily for
9 counternarcotics activities~~(72)~~: *Provided further,* That
10 *funds made available under this heading may be used, not-*
11 *withstanding any other provision of law, for demining ac-*
12 *tivities, and may include activities implemented through*
13 *nongovernmental and international organizations. Pro-*
14 *vided further,* That not more than \$100,000,000 of the
15 funds made available under this heading shall be available
16 for use in financing the procurement of defense articles,
17 defense services, or design and construction services that
18 are not sold by the United States Government under the
19 Arms Export Control Act to countries other than Israel
20 and Egypt: *Provided further,* That only those countries for
21 which assistance was justified for the “Foreign Military
22 Sales Financing Program” in the fiscal year 1989 con-
23 gressional presentation for security assistance programs
24 may utilize funds made available under this heading for
25 procurement of defense articles, defense services or design

1 and construction services that are not sold by the United
2 States Government under the Arms Export Control Act:
3 *Provided further*, That, subject to the regular notification
4 procedures of the Committees on Appropriations, funds
5 made available under this heading for the cost of direct
6 loans may also be used to supplement the funds available
7 under this heading for necessary expenses for grants if
8 countries specified under this heading as eligible for such
9 direct loans decline to utilize such loans: *Provided further*,
10 That funds appropriated under this heading shall be ex-
11 pended at the minimum rate necessary to make timely
12 payment for defense articles and services: *Provided fur-*
13 *ther*, That the Department of Defense shall conduct dur-
14 ing the current fiscal year nonreimbursable audits of pri-
15 vate firms whose contracts are made directly with foreign
16 governments and are financed with funds made available
17 under this heading (as well as subcontractors thereunder)
18 as requested by the Defense Security Assistance Agency:
19 *Provided further*, That not more than \$22,150,000 of the
20 funds appropriated under this heading may be obligated
21 for necessary expenses, including the purchase of pas-
22 senger motor vehicles for replacement only for use outside
23 of the United States, for the general costs of administer-
24 ing military assistance and sales: *Provided further*, That
25 not more than \$335,000,000 of funds realized pursuant

1 to section 21(e)(1)(A) of the Arms Export Control Act
2 may be obligated for expenses incurred by the Department
3 of Defense during ~~(73)the fiscal year 1994~~ *fiscal year*
4 *1995* pursuant to section 43(b) of the Arms Export Con-
5 trol Act, except that this limitation may be exceeded only
6 through the regular notification procedures of the Com-
7 mittees on Appropriations: *Provided further*, That none of
8 the funds appropriated under this heading, and no em-
9 ployee of the Defense Security Assistance Agency, may be
10 used to facilitate the transport of aircraft to commercial
11 arms sales shows.

12 ~~(74)~~ *SPECIAL DEFENSE ACQUISITION FUND*

13 *Notwithstanding any provision of Public Law 102-*
14 *391 as amended by Public Law 103-87, not to exceed*
15 *\$140,000,000 of the obligational authority provided in that*
16 *Act under the heading "Special Defense Acquisition Fund"*
17 *may be obligated pursuant to section 51(c)(2) of the Arms*
18 *Export Control Act.*

19 *Not to exceed \$20,000,000 may be obligated pursuant*
20 *to section 51(c)(2) of the Arms Export Control Act for the*
21 *purposes of closing the Special Defense Acquisition Fund,*
22 *to remain available for obligation until September 30,*
23 *1998: Provided, That the authority provided in this Act is*
24 *not used to initiate new procurements.*

1 PEACEKEEPING OPERATIONS

2 **(75)** *(INCLUDING TRANSFER OF FUNDS)*

3 For necessary expenses to carry out the provisions
4 of section 551 of the Foreign Assistance Act of 1961,
5 \$75,000,000**(76)**: *Provided, That of this amount up to*
6 *\$850,000 may be transferred to, and merged with, funds*
7 *appropriated under the heading “International Military*
8 *Education and Training” to carry out the provisions of sec-*
9 *tion 541 of the Act: Provided further, That funds trans-*
10 *ferred under the previous proviso shall be in addition to*
11 *amounts that may be transferred between accounts under*
12 *the authority of any other provision of law.*

13 TITLE IV—EXPORT ASSISTANCE

14 EXPORT-IMPORT BANK OF THE UNITED STATES

15 The Export-Import Bank of the United States is au-
16 thorized to make such expenditures within the limits of
17 funds and borrowing authority available to such corpora-
18 tion, and in accordance with law, and to make such con-
19 tracts and commitments without regard to fiscal year limi-
20 tations, as provided by section 104 of the Government
21 Corporation Control Act, as may be necessary in carrying
22 out the program for the current fiscal year for such cor-
23 poration: *Provided, That none of the funds available dur-*
24 *ing the current fiscal year may be used to make expendi-*
25 *tures, contracts, or commitments for the export of nuclear*

1 this paragraph may be used for tied-aid credits or grants
2 except through the regular notification procedures of the
3 Committees on Appropriations: *Provided further*, That
4 funds appropriated by this paragraph are made available
5 notwithstanding section 2(b)(2) of the Export-Import
6 Bank Act of 1945, in connection with the purchase or
7 lease of any product by any East European country, any
8 Baltic State, or any agency or national thereof.

9 ADMINISTRATIVE EXPENSES

10 For administrative expenses to carry out the direct
11 and guaranteed loan and insurance programs (to be com-
12 puted on an accrual basis), including hire of passenger
13 motor vehicles and services as authorized by 5 U.S.C.
14 3109, and not to exceed \$20,000 for official reception and
15 representation expenses for members of the Board of Di-
16 rectors, ~~(79)\$44,550,000~~ \$45,228,000: *Provided*, That
17 necessary expenses (including special services performed
18 on a contract or fee basis, but not including other personal
19 services) in connection with the collection of moneys owed
20 the Export-Import Bank, repossession or sale of pledged
21 collateral or other assets acquired by the Export-Import
22 Bank in satisfaction of moneys owed the Export-Import
23 Bank, or the investigation or appraisal of any property,
24 or the evaluation of the legal or technical aspects of any
25 transaction for which an application for a loan, guarantee
26 or insurance commitment has been made, shall be consid-

1 ered nonadministrative expenses for the purposes of this
2 heading ~~(80)~~: *Provided further, That, notwithstanding sub-*
3 *section (b) of section 117 of the Export Enhancement Act*
4 *of 1992, subsection (a) thereof shall remain in effect until*
5 *October 1, 1995.*

6 OVERSEAS PRIVATE INVESTMENT CORPORATION

7 PROGRAM ACCOUNT

8 ~~(81)~~ For the subsidy cost as defined in section 13201
9 of the Budget Enforcement Act of 1990, of direct and
10 guaranteed loans authorized by section 234 of the Foreign
11 Assistance Act of 1961, as follows: cost of direct and guar-
12 anteed loans, \$23,296,000. In addition, for administrative
13 expenses to carry out the direct and guaranteed loan pro-
14 grams, \$7,933,000: *Provided, That the funds provided in*
15 *this paragraph shall be available for and apply to costs,*
16 *direct loan obligations and loan guaranty commitments in-*
17 *curred or made during the period from October 1, 1994*
18 *through September 30, 1996: Provided further, That such*
19 *sums are to remain available through fiscal year 2003 for*
20 *the disbursement of direct and guaranteed loans obligated*
21 *in fiscal year 1995, and through 2004 for the disburse-*
22 *ment of direct and guaranteed loans obligated in fiscal*
23 *year 1996.*

24 The Overseas Private Investment Corporation is au-
25 thorized to make, without regard to fiscal year limitations,
26 as provided by 31 U.S.C. 9104, such noncredit expendi-

1 tures and commitments within the limits of funds available
2 to it and in accordance with law (including an amount for
3 official reception and representation expenses which shall
4 not exceed \$35,000) as may be necessary.

5 *NONCREDIT ACCOUNT*

6 *The Overseas Private Investment Corporation is au-*
7 *thorized to make, without regard to fiscal year limitations,*
8 *as provided by 31 U.S.C. 9104, such expenditures and com-*
9 *mitments within the limits of funds available to it and in*
10 *accordance with law as may be necessary: Provided, That*
11 *the amount available for administrative expenses to carry*
12 *out the credit and insurance programs (including an*
13 *amount for official reception and representation expenses*
14 *which shall not exceed \$35,000) shall not exceed*
15 *\$24,322,000: Provided further, That project-specific trans-*
16 *action costs, including direct and indirect costs incurred*
17 *in claims settlements, and other direct costs associated with*
18 *services provided to specific investors or potential investors*
19 *pursuant to section 234 of the Foreign Assistance Act of*
20 *1961 shall not be considered administrative expenses for the*
21 *purposes of this heading.*

22 *PROGRAM ACCOUNT*

23 *For the cost of direct and guaranteed loans,*
24 *\$34,944,000, as authorized by section 234 of the Foreign*
25 *Assistance Act of 1961, to be derived by transfer from the*
26 *Overseas Private Investment Corporation Noncredit Ac-*

1 *count: Provided, That such costs, including the cost of modi-*
2 *fyng such loans, shall be as defined in section 502 of the*
3 *Congressional Budget Act of 1974: Provided further, That*
4 *not less than \$24,944,000 of such subsidy shall be available*
5 *for direct loan obligations and loan guaranty commitments*
6 *incurred or made during fiscal years 1995 and 1996, and*
7 *the remainder of such subsidy shall be available for such*
8 *purposes without fiscal year limitation: Provided further,*
9 *That such sums that are made available during fiscal years*
10 *1995 and 1996 shall remain available through fiscal year*
11 *2003 for the disbursement of direct and guaranteed loans*
12 *obligated in fiscal year 1995, and through 2004 for the dis-*
13 *bursement of direct and guaranteed loans obligated in fiscal*
14 *year 1996: Provided further, That such sums that are obli-*
15 *gated after fiscal year 1996 shall remain available for the*
16 *disbursement of direct and guaranteed loans through the*
17 *end of the eighth fiscal year after the fiscal year in which*
18 *such sums were obligated. In addition, such sums as may*
19 *be necessary for administrative expenses to carry out the*
20 *credit program may be derived from amounts available for*
21 *administrative expenses to carry out the credit and insur-*
22 *ance programs in the Overseas Private Investment Corpora-*
23 *tion Noncredit Account and merged with said account.*

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 TRADE AND DEVELOPMENT AGENCY

3 For necessary expenses to carry out the provisions
4 of section 661 of the Foreign Assistance Act of 1961,
5 \$44,986,000.

6 TITLE V—GENERAL PROVISIONS

7 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

8 SEC. 501. Except for the appropriations entitled
9 “International Disaster Assistance”, and “United States
10 Emergency Refugee and Migration Assistance Fund”, not
11 more than 15 per centum of any appropriation item made
12 available by this Act shall be obligated during the last
13 month of availability.

14 PROHIBITION OF BILATERAL FUNDING FOR

15 INTERNATIONAL FINANCIAL INSTITUTIONS

16 SEC. 502. None of the funds contained in title II of
17 this Act may be used to carry out the provisions of section
18 209(d) of the Foreign Assistance Act of 1961.

19 LIMITATION ON RESIDENCE EXPENSES

20 SEC. 503. Of the funds appropriated or made avail-
21 able pursuant to this Act, not to exceed \$126,500 shall
22 be for official residence expenses of the Agency for Inter-
23 national Development during the current fiscal year: *Pro-*
24 *vided*, That appropriate steps shall be taken to assure
25 that, to the maximum extent possible, United States-
26 owned foreign currencies are utilized in lieu of dollars.

1 the funds made available by this Act for the Peace Corps,
2 not to exceed a total of \$4,000 shall be available for enter-
3 tainment expenses: *Provided further*, That of the funds
4 made available by this Act under the heading “Trade and
5 Development Agency”, not to exceed \$2,000 shall be avail-
6 able for representation and entertainment allowances.

7 PROHIBITION ON FINANCING NUCLEAR GOODS

8 SEC. 506. None of the funds appropriated or made
9 available (other than funds for “International Organiza-
10 tions and Programs”) pursuant to this Act, for carrying
11 out the Foreign Assistance Act of 1961, may be used, ex-
12 cept for purposes of nuclear safety, to finance the export
13 of nuclear equipment, fuel, or technology.

14 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
15 COUNTRIES

16 SEC. 507. None of the funds appropriated or other-
17 wise made available pursuant to this Act shall be obligated
18 or expended to finance directly any assistance or repara-
19 tions to Cuba, Iraq, Libya, (82)the Socialist Republic of
20 Vietnam, Iran, Serbia, Sudan, or Syria: *Provided*, That
21 for purposes of this section, the prohibition on obligations
22 or expenditures shall include direct loans, credits, insur-
23 ance and guarantees of the Export-Import Bank or its
24 agents.

MILITARY COUPS

1
2 SEC. 508. None of the funds appropriated or other-
3 wise made available pursuant to this Act shall be obligated
4 or expended to finance directly any assistance to any coun-
5 try whose duly elected Head of Government is deposed by
6 military coup or decree: *Provided*, That assistance may be
7 resumed to such country if the President determines and
8 reports to the Committees on Appropriations that subse-
9 quent to the termination of assistance a democratically
10 elected government has taken office.

TRANSFERS BETWEEN ACCOUNTS

11
12 SEC. 509. None of the funds made available by this
13 Act may be obligated under an appropriation account to
14 which they were not appropriated, unless the President,
15 prior to the exercise of any authority contained in the For-
16 eign Assistance Act of 1961 to transfer funds, consults
17 with and provides a written policy justification to the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate: *Provided*, That the exercise of such
20 authority shall be subject to the regular notification proce-
21 dures of the Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

22
23 SEC. 510. (a) Amounts certified pursuant to section
24 1311 of the Supplemental Appropriations Act, 1955, as
25 having been obligated against appropriations heretofore
26 made under the authority of the Foreign Assistance Act

1 of 1961 for the same general purpose as any of the head-
2 ings under the “Agency for International Development”
3 are, if deobligated, hereby continued available for the same
4 period as the respective appropriations under such head-
5 ings or until September 30, 1995, whichever is later, and
6 for the same general purpose, and for countries within the
7 same region as originally obligated: *Provided*, That the
8 Appropriations Committees of both Houses of the Con-
9 gress are notified fifteen days in advance of the
10 deobligation and reobligation of such funds in accordance
11 with regular notification procedures of the Committees on
12 Appropriations.

13 (b) Obligated balances of funds appropriated to carry
14 out section 23 of the Arms Export Control Act as of the
15 end of the fiscal year immediately preceding the current
16 fiscal year are, if deobligated, hereby continued available
17 during the current fiscal year for the same purpose under
18 any authority applicable to such appropriations under this
19 Act: *Provided*, That the authority of this subsection may
20 not be used in fiscal year 1995.

21 AVAILABILITY OF FUNDS

22 SEC. 511. No part of any appropriation contained in
23 this Act shall remain available for obligation after the ex-
24 piration of the current fiscal year unless expressly so pro-
25 vided in this Act: *Provided*, That funds appropriated for
26 the purposes of chapters 1 and 8 of part I, section 667,

1 and chapter 4 of part II of the Foreign Assistance Act
2 of 1961, as amended, shall remain available until ex-
3 pended if such funds are initially obligated before the expi-
4 ration of their respective periods of availability contained
5 in this Act: *Provided further*, That, notwithstanding any
6 other provision of this Act, any funds made available for
7 the purposes of chapter 1 of part I and chapter 4 of part
8 II of the Foreign Assistance Act of 1961 which are allo-
9 cated or obligated for cash disbursements in order to ad-
10 dress balance of payments or economic policy reform ob-
11 jectives, shall remain available until expended: *Provided*
12 *further*, That the report required by section 653(a) of the
13 Foreign Assistance Act of 1961 shall designate for each
14 country, to the extent known at the time of submission
15 of such report, those funds allocated for cash disburse-
16 ment for balance of payment and economic policy reform
17 purposes.

18 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

19 SEC. 512. No part of any appropriation contained in
20 this Act shall be used to furnish assistance to any country
21 which is in default during a period in excess of one cal-
22 endar year in payment to the United States of principal
23 or interest on any loan made to such country by the
24 United States pursuant to a program for which funds are
25 appropriated under this Act: *Provided*, That this section
26 and section 620(q) of the Foreign Assistance Act of 1961

1 shall not apply to funds made available in this Act or dur-
2 ing the current fiscal year for Nicaragua, and for any nar-
3 cotics-related assistance for Colombia, Bolivia, and Peru
4 authorized by the Foreign Assistance Act of 1961 or the
5 Arms Export Control Act.

6 COMMERCE AND TRADE

7 SEC. 513. (a) None of the funds appropriated or
8 made available pursuant to this Act for direct assistance
9 and none of the funds otherwise made available pursuant
10 to this Act to the Export-Import Bank and the Overseas
11 Private Investment Corporation shall be obligated or ex-
12 pended to finance any loan, any assistance or any other
13 financial commitments for establishing or expanding pro-
14 duction of any commodity for export by any country other
15 than the United States, if the commodity is likely to be
16 in surplus on world markets at the time the resulting pro-
17 ductive capacity is expected to become operative and if the
18 assistance will cause substantial injury to United States
19 producers of the same, similar, or competing commodity:
20 *Provided*, That such prohibition shall not apply to the Ex-
21 port-Import Bank if in the judgment of its Board of Direc-
22 tors the benefits to industry and employment in the
23 United States are likely to outweigh the injury to United
24 States producers of the same, similar, or competing com-
25 modity.

1 (b) None of the funds appropriated by this or any
2 other Act to carry out chapter 1 of part I of the Foreign
3 Assistance Act of 1961 shall be available for any testing
4 or breeding feasibility study, variety improvement or intro-
5 duction, consultancy, publication, conference, or training
6 in connection with the growth or production in a foreign
7 country of an agricultural commodity for export which
8 would compete with a similar commodity grown or pro-
9 duced in the United States: *Provided*, That this subsection
10 shall not prohibit—

11 (1) activities designed to increase food security
12 in developing countries where such activities will not
13 have a significant impact in the export of agricul-
14 tural commodities of the United States; or

15 (2) research activities intended primarily to
16 benefit American producers.

17 (c) None of the funds provided in this Act to the
18 Agency for International Development, other than funds
19 made available to carry out Caribbean Basin Initiative
20 programs under the Tariff Schedules of the United States,
21 section 1202 of title 19, United States Code, schedule 8,
22 part I, subpart B, item 807.00, shall be obligated or ex-
23 pended—

24 (1) to procure directly feasibility studies or
25 prefeasibility studies for, or project profiles of poten-

1 tial investment in, the manufacture, for export to
2 the United States or to third country markets in di-
3 rect competition with United States exports, of im-
4 port-sensitive articles as defined by section 503(c)(1)
5 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
6 2463(c)(1) (A) and (E)); or

7 (2) to assist directly in the establishment of fa-
8 cilities specifically designed for the manufacture, for
9 export to the United States or to third country mar-
10 kets in direct competition with United States ex-
11 ports, of import-sensitive articles as defined in sec-
12 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
13 (19 U.S.C. 2463(c)(1) (A) and (E)).

14 SURPLUS COMMODITIES

15 SEC. 514. The Secretary of the Treasury shall in-
16 struct the United States Executive Directors of the Inter-
17 national Bank for Reconstruction and Development, the
18 International Development Association, the International
19 Finance Corporation, the Inter-American Development
20 Bank, the International Monetary Fund, the Asian Devel-
21 opment Bank, the Inter-American Investment Corpora-
22 tion, the European Bank for Reconstruction and Develop-
23 ment, the African Development Bank, and the African De-
24 velopment Fund to use the voice and vote of the United
25 States to oppose any assistance by these institutions,
26 using funds appropriated or made available pursuant to

1 this Act, for the production or extraction of any commod-
 2 ity or mineral for export, if it is in surplus on world mar-
 3 kets and if the assistance will cause substantial injury to
 4 United States producers of the same, similar, or compet-
 5 ing commodity.

6 NOTIFICATION REQUIREMENTS

7 SEC. 515. For the purposes of providing the Execu-
 8 tive Branch with the necessary administrative flexibility,
 9 none of the funds made available under this Act for “De-
 10 velopment Assistance Fund”, “Population, Development
 11 Assistance”, “Development Fund for Africa”, “Inter-
 12 national organizations and programs”, “Trade and Devel-
 13 opment Agency”, “International narcotics control”, “As-
 14 sistance for Eastern Europe and the Baltic States”, “As-
 15 sistance for the New Independent States of the Former
 16 Soviet Union”, “Economic Support Fund”, “Peacekeeping
 17 operations”, “Operating expenses of the Agency for Inter-
 18 national Development”, “Operating expenses of the Agen-
 19 cy for International Development Office of Inspector Gen-
 20 eral”, “Anti-terrorism assistance”, “Foreign Military Fi-
 21 nancing Program”, “International military education and
 22 training” ~~(83)(including the military-to-military contact~~
 23 ~~program)~~, “*Military-to-Military Contact Program*”,
 24 “Inter-American Foundation”, “African Development
 25 Foundation”, “Peace Corps”, or “Migration and refugee
 26 assistance”, shall be available for obligation for activities,

1 programs, projects, type of materiel assistance, countries,
2 or other operation not justified or in excess of the amount
3 justified to the Appropriations Committees for obligation
4 under any of these specific headings unless the Appropria-
5 tions Committees of both Houses of Congress are pre-
6 viously notified fifteen days in advance: ~~(84) Provided, Pro-~~
7 *vided, That only those activities, programs, projects, type*
8 *of material assistance, countries, or other operations re-*
9 *ferred to under this paragraph which have been justified*
10 *through Congressional Presentation documents and/or*
11 *budget justification documents presented in the same format*
12 *and in the same level of detail as provided in fiscal year*
13 *1993 shall be considered to be justified under the language*
14 *of this paragraph: Provided further, That the President*
15 shall not enter into any commitment of funds appropriated
16 for the purposes of section 23 of the Arms Export Control
17 Act for the provision of major defense equipment, other
18 than conventional ammunition, or other major defense
19 items defined to be aircraft, ships, missiles, or combat ve-
20 hicles, not previously justified to Congress or 20 per cen-
21 tum in excess of the quantities justified to Congress unless
22 the Committees on Appropriations are notified fifteen
23 days in advance of such commitment: *Provided further,*
24 That this section shall not apply to any reprogramming
25 for an activity, program, or project under chapter 1 of

1 part I of the Foreign Assistance Act of 1961 of less than
2 20 per centum of the amount previously justified to the
3 Congress for obligation for such activity, program, or
4 project for the current fiscal year: *Provided further*, That
5 the requirements of this section or any similar provision
6 of this Act requiring notification in accordance with the
7 regular notification procedures of the Committees on Ap-
8 propriations may be waived if failure to do so would pose
9 a substantial risk to human health or welfare: *Provided*
10 *further*, That in case of any such waiver, notification to
11 the Congress, or the appropriate congressional commit-
12 tees, shall be provided as early as practicable, but in no
13 event later than three days after taking the action to
14 which such notification requirement was applicable, in the
15 context of the circumstances necessitating such waiver:
16 *Provided further*, That any notification provided pursuant
17 to such a waiver shall contain an explanation of the emer-
18 gency circumstances.

19 Drawdowns made pursuant to section 506(a)(2) of
20 the Foreign Assistance Act of 1961 shall be subject to the
21 regular notification procedures of the Committees on Ap-
22 propriations.

23 LIMITATION ON AVAILABILITY OF FUNDS FOR
24 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

25 SEC. 516. (a) Notwithstanding any other provision
26 of law or of this Act, none of the funds provided for

1 “International Organizations and Programs” shall be
2 available for the United States proportionate share, in ac-
3 cordance with section 307(c) of the Foreign Assistance
4 Act of 1961, for any programs identified in section 307,
5 or for Libya, Iran, or, at the discretion of the President,
6 Communist countries listed in section 620(f) of the For-
7 eign Assistance Act of 1961, as amended: *Provided*, That,
8 subject to the regular notification procedures of the Com-
9 mittees on Appropriations, funds appropriated under this
10 Act or any previously enacted Act making appropriations
11 for foreign operations, export financing, and related pro-
12 grams, which are returned or not made available for orga-
13 nizations and programs because of the implementation of
14 this section or any similar provision of law, shall remain
15 available for obligation through September 30, 1996.

16 (b) The United States shall not make any voluntary
17 or assessed contribution—

18 (1) to any affiliated organization of the United
19 Nations which grants full membership as a state to
20 any organization or group that does not have the
21 internationally recognized attributes of statehood, or

22 (2) to the United Nations, if the United Na-
23 tions grants full membership as a state in the
24 United Nations to any organization or group that

1 does not have the internationally recognized at-
2 tributes of statehood,
3 during any period in which such membership is effective.

4 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

5 SEC. 517. The Congress finds that progress on the
6 peace process in the Middle East is vitally important to
7 United States security interests in the region. The Con-
8 gress recognizes that, in fulfilling its obligations under the
9 Treaty of Peace Between the Arab Republic of Egypt and
10 the State of Israel, done at Washington on March 26,
11 1979, Israel incurred severe economic burdens. Further-
12 more, the Congress recognizes that an economically and
13 militarily secure Israel serves the security interests of the
14 United States, for a secure Israel is an Israel which has
15 the incentive and confidence to continue pursuing the
16 peace process. Therefore, the Congress declares that it is
17 the policy and the intention of the United States that the
18 funds provided in annual appropriations for the Economic
19 Support Fund which are allocated to Israel shall not be
20 less than the annual debt repayment (interest and prin-
21 cipal) from Israel to the United States Government in rec-
22 ognition that such a principle serves United States inter-
23 ests in the region.

1 PROHIBITION CONCERNING ABORTIONS AND
2 INVOLUNTARY STERILIZATION

3 SEC. 518. None of the funds made available to carry
4 out part I of the Foreign Assistance Act of 1961, as
5 amended, may be used to pay for the performance of abor-
6 tions as a method of family planning or to motivate or
7 coerce any person to practice abortions. None of the funds
8 made available to carry out part I of the Foreign Assist-
9 ance Act of 1961, as amended, may be used to pay for
10 the performance of involuntary sterilization as a method
11 of family planning or to coerce or provide any financial
12 incentive to any person to undergo sterilizations. None of
13 the funds made available to carry out part I of the Foreign
14 Assistance Act of 1961, as amended, may be used to pay
15 for any biomedical research which relates in whole or in
16 part, to methods of, or the performance of, abortions or
17 involuntary sterilization as a means of family planning.
18 None of the funds made available to carry out part I of
19 the Foreign Assistance Act of 1961, as amended, may be
20 obligated or expended for any country or organization if
21 the President certifies that the use of these funds by any
22 such country or organization would violate any of the
23 above provisions related to abortions and involuntary steri-
24 lizations. The Congress reaffirms its commitments to Pop-

1 ulation, Development Assistance and to the need for in-
2 formed voluntary family planning.

3 REPORTING REQUIREMENT

4 SEC. 519. The President shall submit to the Commit-
5 tees on Appropriations the reports required by section
6 25(a)(1) of the Arms Export Control Act.

7 SPECIAL NOTIFICATION REQUIREMENTS

8 SEC. 520. None of the funds appropriated in this Act
9 shall be obligated or expended for Colombia,
10 ~~(85)~~*Dominican Republic*, El Salvador, Guatemala, Haiti,
11 Indonesia, Liberia, Nicaragua, Pakistan, Peru, Rwanda,
12 Sudan, or Zaire except as provided through the regular
13 notification procedures of the Committees on Appropria-
14 tions: *Provided*, That this section shall not apply to funds
15 appropriated by this Act to carry out the provisions of
16 chapter 1 of part I of the Foreign Assistance Act of 1961
17 that are made available for El Salvador and Nicaragua.

18 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

19 SEC. 521. For the purpose of this Act, “program,
20 project, and activity” shall be defined at the Appropria-
21 tions Act account level and shall include all Appropriations
22 and Authorizations Acts earmarks, ceilings, and limita-
23 tions with the exception that for the following accounts:
24 Economic Support Fund and Foreign Military Financing
25 Program, “program, project, and activity” shall also be
26 considered to include country, regional, and central pro-

1 gram level funding within each such account; for the devel-
2 opment assistance accounts of the Agency for Inter-
3 national Development “program, project, and activity”
4 shall also be considered to include central program level
5 funding, either as (1) justified to the Congress, or (2) allo-
6 cated by the executive branch in accordance with a report,
7 to be provided to the Committees on Appropriations within
8 thirty days of enactment of this Act, as required by section
9 653(a) of the Foreign Assistance Act of 1961.

10 FAMILY PLANNING, CHILD SURVIVAL AND AIDS

11 ACTIVITIES

12 SEC. 522. Up to \$8,000,000 of the funds made avail-
13 able by this Act for assistance for family planning, health,
14 child survival, and AIDS, may be used to reimburse
15 United States Government agencies, agencies of State gov-
16 ernments, institutions of higher learning, and private and
17 voluntary organizations for the full cost of individuals (in-
18 cluding for the personal services of such individuals) de-
19 tailed or assigned to, or contracted by, as the case may
20 be, the Agency for International Development for the pur-
21 pose of carrying out family planning activities, child sur-
22 vival activities and activities relating to research on, and
23 the treatment and control of, acquired immune deficiency
24 syndrome in developing countries: *Provided*, That such in-
25 dividuals shall not be included within any personnel ceiling
26 ~~(86)~~ *established pursuant to any provision of law or regu-*

1 *lation* applicable to any United States Government agency
 2 during the period of detail or assignment: *Provided fur-*
 3 *ther*, That funds appropriated by this Act that are made
 4 available for child survival activities or activities relating
 5 to research on, and the treatment and control of, acquired
 6 immune deficiency syndrome may be made available not-
 7 withstanding any provision of law that restricts assistance
 8 to foreign countries: *Provided further*, That funds appro-
 9 priated by this Act that are made available for family
 10 planning activities may be made available notwithstanding
 11 section 512 of this Act and section 620(q) of the Foreign
 12 Assistance Act of 1961.

13 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
 14 COUNTRIES

15 SEC. 523. None of the funds appropriated or other-
 16 wise made available pursuant to this Act shall be obligated
 17 to finance indirectly any assistance or reparations to
 18 Cuba, Iraq, Libya, ~~(87)the Socialist Republic of Vietnam,~~
 19 Iran, Syria, North Korea, ~~(88)or the People's Republic~~
 20 of China~~(89),—or Laos~~ unless the President of the United
 21 States certifies that the withholding of these funds is con-
 22 trary to the national interest of the United States.

23 RECIPROCAL LEASING

24 SEC. 524. Section 61(a) of the Arms Export Control
 25 Act is amended by striking out “1994” and inserting in
 26 lieu thereof “1995”.

1 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

2 SEC. 525. Prior to providing excess Department of
3 Defense articles in accordance with section 516(a) of the
4 Foreign Assistance Act of 1961, the Department of De-
5 fense shall notify the Committees on Appropriations to the
6 same extent and under the same conditions as are other
7 committees pursuant to subsection (c) of that section: *Pro-*
8 *vided*, That before issuing a letter of offer to sell excess
9 defense articles under the Arms Export Control Act, the
10 Department of Defense shall notify the Committees on
11 Appropriations in accordance with the regular notification
12 procedures of such Committees: *Provided further*, That
13 such Committees shall also be informed of the original ac-
14 quisition cost of such defense articles.

15 AUTHORIZATION REQUIREMENT

16 SEC. 526. Funds appropriated by this Act may be
17 obligated and expended ~~(90)~~subject to *notwithstanding*
18 section 10 of Public Law 91-672 and section 15 of the
19 State Department Basic Authorities Act of 1956~~(91)~~:
20 *Provided, That the Secretary of the Treasury may, to fulfill*
21 *commitments of the United States, (a) subscribe to and*
22 *make payment for shares of the Inter-American Develop-*
23 *ment Bank, make contributions to the Fund for Special Op-*
24 *erations of that Bank, and vote for resolutions (including*
25 *amendments to that Bank's constitutive agreement), all in*
26 *connection with the eighth general increase in resources of*

1 *that Bank; and (b) contribute to the Restructured Global*
2 *Environment Facility under its Instrument, to the African*
3 *Development Fund in connection with the seventh general*
4 *replenishment of its resources, and to the Interest Subsidy*
5 *Account of the successor to the Enhanced Structural Adjust-*
6 *ment Facility of the International Monetary Fund. The*
7 *amount to be paid in respect of each such contribution or*
8 *subscription is authorized to be appropriated without fiscal*
9 *year limitation. Each such subscription or contribution*
10 *shall be effective only to such extent or in such amounts*
11 *as are provided in advance in appropriations Acts.*

12

DEPLETED URANIUM

13 SEC. 527. None of the funds provided in this or any
14 other Act may be made available to facilitate in any way
15 the sale of M-833 antitank shells or any comparable anti-
16 tank shells containing a depleted uranium penetrating
17 component to any country other than (1) countries which
18 are members of NATO, (2) countries which have been des-
19 ignated as a major non-NATO ally for purposes of section
20 1105 of the National Defense Authorization Act for Fiscal
21 Year 1987 or, (3) Taiwan: *Provided*, That funds may be
22 made available to facilitate the sale of such shells notwith-
23 standing the limitations of this section if the President
24 determines that to do so is in the national security interest
25 of the United States.

1 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
2 BY INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES
4 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
5 shall instruct the United States Executive Director of each
6 international financial institution designated in subsection
7 (b), and the Administrator of the Agency for International
8 Development shall instruct the United States Executive
9 Director of the International Fund for Agriculture Devel-
10 opment, to use the voice and vote of the United States
11 to oppose any loan or other use of the funds of the respec-
12 tive institution to or for a country for which the Secretary
13 of State has made a determination under section 6(j) of
14 the Export Administration Act of 1979.

15 (b) DEFINITION.—For purposes of this section, the
16 term “international financial institution” includes—

17 (1) the International Bank for Reconstruction
18 and Development, the International Development
19 Association, and the International Monetary Fund;
20 and

21 (2) wherever applicable, the Inter-American De-
22 velopment Bank, the Asian Development Bank, the
23 African Development Bank, the African Develop-
24 ment Fund, and the European Bank for Reconstruc-
25 tion and Development.

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
2 COUNTRIES

3 SEC. 529. (a) Notwithstanding any other provision
4 of law, funds appropriated for bilateral assistance under
5 any heading of this Act and funds appropriated under any
6 such heading in a provision of law enacted prior to enact-
7 ment of this Act, shall not be made available to any coun-
8 try which the President determines—

9 (1) grants sanctuary from prosecution to any
10 individual or group which has committed an act of
11 international terrorism, or

12 (2) otherwise supports international terrorism.

13 (b) The President may waive the application of sub-
14 section (a) to a country if the President determines that
15 national security or humanitarian reasons justify such
16 waiver. The President shall publish each waiver in the
17 Federal Register and, at least fifteen days before the waiv-
18 er takes effect, shall notify the Committees on Appropria-
19 tions of the waiver (including the justification for the waiv-
20 er) in accordance with the regular notification procedures
21 of the Committees on Appropriations.

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

23 SEC. 530. Notwithstanding any other provision of
24 law, and subject to the regular notification requirements
25 of the Committees on Appropriations, the authority of sec-
26 tion 23(a) of the Arms Export Control Act may be used

1 to provide financing to Israel and Egypt and NATO and
2 major non-NATO allies for the procurement by leasing
3 (including leasing with an option to purchase) of defense
4 articles from United States commercial suppliers, not in-
5 cluding Major Defense Equipment (other than helicopters
6 and other types of aircraft having possible civilian applica-
7 tion), if the President determines that there are compel-
8 ling foreign policy or national security reasons for those
9 defense articles being provided by commercial lease rather
10 than by government-to-government sale under such Act.

11 COMPETITIVE INSURANCE

12 SEC. 531. All Agency for International Development
13 contracts and solicitations, and subcontracts entered into
14 under such contracts, shall include a clause requiring that
15 United States ~~(92)marine~~ insurance companies have a
16 fair opportunity to bid for ~~(93)marine~~ insurance when
17 such insurance is necessary or appropriate.

18 STINGERS IN THE PERSIAN GULF REGION

19 SEC. 532. Except as provided in section 581 of the
20 Foreign Operations, Export Financing, and Related Pro-
21 grams Appropriations Act, 1990, the United States may
22 not sell or otherwise make available any Stingers to any
23 country bordering the Persian Gulf under the Arms Ex-
24 port Control Act or chapter 2 of part II of the Foreign
25 Assistance Act of 1961.

1 PROHIBITION ON LEVERAGING AND DIVERSION OF
2 UNITED STATES ASSISTANCE

3 SEC. 533. (a) None of the funds appropriated by this
4 Act may be provided to any foreign government (including
5 any instrumentality or agency thereof), foreign person, or
6 United States person in exchange for that foreign govern-
7 ment or person undertaking any action which is, if carried
8 out by the United States Government, a United States of-
9 ficial or employee, expressly prohibited by a provision of
10 United States law.

11 (b) For the purposes of this section the term “funds
12 appropriated by this Act” includes only (1) assistance of
13 any kind under the Foreign Assistance Act of 1961; and
14 (2) credits, and guaranties under the Arms Export Con-
15 trol Act.

16 (c) Nothing in this section shall be construed to
17 limit—

18 (1) the ability of the President, the Vice Presi-
19 dent, or any official or employee of the United
20 States to make statements or otherwise express their
21 views to any party on any subject;

22 (2) the ability of an official or employee of the
23 United States to express the policies of the Presi-
24 dent; or

1 1994” and inserting in lieu thereof “a total of
2 \$200,000,000 for stockpiles in Israel for fiscal years 1994
3 and 1995, up to \$40,000,000 may be made available for
4 stockpiles in the Republic of Korea, and up to
5 \$10,000,000 may be made available for stockpiles in Thai-
6 land for fiscal year 1995”.

7 SEPARATE ACCOUNTS

8 SEC. 536. (a) SEPARATE ACCOUNTS FOR LOCAL
9 CURRENCIES.—(1) If assistance is furnished to the gov-
10 ernment of a foreign country under chapters 1 and 10 of
11 part I (including the Philippines Multilateral Assistance
12 Initiative) or chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961 under agreements which result in the
14 generation of local currencies of that country, the Admin-
15 istrator of the Agency for International Development
16 shall—

17 (A) require that local currencies be deposited in
18 a separate account established by that government;

19 (B) enter into an agreement with that govern-
20 ment which sets forth—

21 (i) the amount of the local currencies to be
22 generated, and

23 (ii) the terms and conditions under which
24 the currencies so deposited may be utilized, con-
25 sistent with this section; and

1 (C) establish by agreement with that govern-
2 ment the responsibilities of the Agency for Inter-
3 national Development and that government to mon-
4 itor and account for deposits into and disbursements
5 from the separate account.

6 (2) USES OF LOCAL CURRENCIES.—As may be
7 agreed upon with the foreign government, local currencies
8 deposited in a separate account pursuant to subsection
9 (a), or an equivalent amount of local currencies, shall be
10 used only—

11 (A) to carry out chapters 1 or 10 of part I or
12 chapter 4 of part II (as the case may be), for such
13 purposes as—

14 (i) project and sector assistance activities,

15 or

16 (ii) debt and deficit financing; or

17 (B) for the administrative requirements of the
18 United States Government.

19 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
20 for International Development shall take all appropriate
21 steps to ensure that the equivalent of the local currencies
22 disbursed pursuant to subsection (a)(2)(A) from the sepa-
23 rate account established pursuant to subsection (a)(1) are
24 used for the purposes agreed upon pursuant to subsection
25 (a)(2).

1 (4) TERMINATION OF ASSISTANCE PROGRAMS.—

2 Upon termination of assistance to a country under chap-
3 ters 1 or 10 of part I or chapter 4 of part II (as the case
4 may be), any unencumbered balances of funds which re-
5 main in a separate account established pursuant to sub-
6 section (a) shall be disposed of for such purposes as may
7 be agreed to by the government of that country and the
8 United States Government.

9 (5) CONFORMING AMENDMENTS.—The provisions of
10 this subsection shall supersede the tenth and eleventh pro-
11 visos contained under the heading “Sub-Saharan Africa,
12 Development Assistance” as included in the Foreign Oper-
13 ations, Export Financing, and Related Programs Appro-
14 priations Act, 1989 and sections 531(d) and 609 of the
15 Foreign Assistance Act of 1961.

16 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

17 (1) If assistance is made available to the government of
18 a foreign country, under chapters 1 or 10 of part I (includ-
19 ing the Philippines Multilateral Assistance Initiative) or
20 chapter 4 of part II of the Foreign Assistance Act of 1961,
21 as cash transfer assistance or as nonproject sector assist-
22 ance, that country shall be required to maintain such
23 funds in a separate account and not commingle them with
24 any other funds.

1 (2) APPLICABILITY OF OTHER PROVISIONS OF
2 LAW.—Such funds may be obligated and expended not-
3 withstanding provisions of law which are inconsistent with
4 the nature of this assistance including provisions which
5 are referenced in the Joint Explanatory Statement of the
6 Committee of Conference accompanying House Joint Res-
7 olution 648 (H. Report No. 98–1159).

8 (3) NOTIFICATION.—At least fifteen days prior to ob-
9 ligating any such cash transfer or nonproject sector assist-
10 ance, the President shall submit a notification through the
11 regular notification procedures of the Committees on Ap-
12 propriations, which shall include a detailed description of
13 how the funds proposed to be made available will be used,
14 with a discussion of the United States interests that will
15 be served by the assistance (including, as appropriate, a
16 description of the economic policy reforms that will be pro-
17 moted by such assistance).

18 (4) EXEMPTION.—Nonproject sector assistance funds
19 may be exempt from the requirements of subsection (b)(1)
20 only through the notification procedures of the Commit-
21 tees on Appropriations.

22 COMPENSATION FOR UNITED STATES EXECUTIVE
23 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

24 SEC. 537. (a) No funds appropriated by this Act may
25 be made as payment to any international financial institu-
26 tion while the United States Executive Director to such

1 institution is compensated by the institution at a rate
2 which, together with whatever compensation such Director
3 receives from the United States, is in excess of the rate
4 provided for an individual occupying a position at level IV
5 of the Executive Schedule under section 5315 of title 5,
6 United States Code, or while any alternate United States
7 Director to such institution is compensated by the institu-
8 tion at a rate in excess of the rate provided for an individ-
9 ual occupying a position at level V of the Executive Sched-
10 ule under section 5316 of title 5, United States Code.

11 (b) For purposes of this section, “international finan-
12 cial institutions” are: the International Bank for Recon-
13 struction and Development, the Inter-American Develop-
14 ment Bank, the Asian Development Bank, the Asian De-
15 velopment Fund, the African Development Bank, the Afri-
16 can Development Fund, the International Monetary Fund,
17 and the European Bank for Reconstruction and Develop-
18 ment.

19 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
20 IRAQ

21 SEC. 538. (a) DENIAL OF ASSISTANCE.—None of the
22 funds appropriated or otherwise made available pursuant
23 to this Act to carry out the Foreign Assistance Act of
24 1961 (including title IV of chapter 2 of part I, relating
25 to the Overseas Private Investment Corporation) or the
26 Arms Export Control Act may be used to provide assist-

1 ance to any country that is not in compliance with the
2 United Nations Security Council sanctions against
3 Iraq(94), *Serbia, and Montenegro* unless the President de-
4 termines and so certifies to the Congress that—

5 (1) such assistance is in the national interest of
6 the United States;

7 (2) such assistance will directly benefit the
8 needy people in that country; or

9 (3) the assistance to be provided will be human-
10 itarian assistance for foreign nationals who have fled
11 Iraq and Kuwait.

12 (b) IMPORT SANCTIONS.—If the President considers
13 that the taking of such action would promote the effective-
14 ness of the economic sanctions of the United Nations and
15 the United States imposed with respect to Iraq(95), *Ser-*
16 *bia, or Montenegro, as the case may be*, and is consistent
17 with the national interest, the President may prohibit, for
18 such a period of time as he considers appropriate, the im-
19 portation into the United States of any or all products
20 of any foreign country that has not prohibited—

21 (1) the importation of products of Iraq(96),
22 *Serbia, or Montenegro* into its customs territory, and

23 (2) the export of its products to Iraq(97), *Ser-*
24 *bia, or Montenegro, as the case may be.*

POW/MIA MILITARY DRAWDOWN

1
2 SEC. 539. (a) Notwithstanding any other provision
3 of law, the President may direct the drawdown, without
4 reimbursement by the recipient, of defense articles from
5 the stocks of the Department of Defense, defense services
6 of the Department of Defense, and military education and
7 training, of an aggregate value not to exceed \$15,000,000
8 in fiscal year 1995, as may be necessary to carry out sub-
9 section (b).

10 (b) Such defense articles, services and training may
11 be provided to (98) *Vietnam*, Cambodia and Laos, under
12 subsection (a) as the President determines are necessary
13 to support efforts to locate and repatriate members of the
14 United States Armed Forces and civilians employed di-
15 rectly or indirectly by the United States Government who
16 remain unaccounted for from the Vietnam War, and to
17 ensure the safety of United States Government personnel
18 engaged in such cooperative efforts and to support United
19 States Department of Defense-sponsored humanitarian
20 projects associated with the POW/MIA efforts. Any air-
21 craft shall be provided under this section only to Laos and
22 only on a lease or loan basis, but may be provided at no
23 cost notwithstanding section 61 of the Arms Export Con-
24 trol Act and may be maintained with defense articles, serv-
25 ices and training provided under this section.

1 (c) The President shall, within sixty days of the end
2 of any fiscal year in which the authority of subsection (a)
3 is exercised, submit a report to the Congress which identi-
4 fies the articles, services, and training drawn down under
5 this section.

6 (d) There are authorized to be appropriated to the
7 President such sums as may be necessary to reimburse
8 the applicable appropriation, fund, or account for defense
9 articles, defense services, and military education and
10 training provided under this section.

11 MEDITERRANEAN EXCESS DEFENSE ARTICLES

12 SEC. 540. During fiscal year 1995, the provisions of
13 section 573(e) of the Foreign Operations, Export Financ-
14 ing, and Related Programs Appropriations Act, 1990,
15 shall be applicable, for the period specified therein, to ex-
16 cess defense articles made available under sections 516
17 and 519 of the Foreign Assistance Act of 1961.

18 PRIORITY DELIVERY OF EQUIPMENT

19 SEC. 541. Notwithstanding any other provision of
20 law, the delivery of excess defense articles that are to be
21 transferred on a grant basis under section 516 of the For-
22 eign Assistance Act to NATO allies and to major non-
23 NATO allies on the southern and southeastern flank of
24 NATO shall be given priority to the maximum extent fea-
25 sible over the delivery of such excess defense articles to
26 other countries.

ISRAEL DRAWDOWN

1
2 SEC. 542. Section 599B(a) of the Foreign Oper-
3 ations, Export Financing, and Related Programs Appro-
4 priations Act, 1991 (as amended by Public Law 102-145,
5 as amended, and Public Law 102-391), is further amend-
6 ed—

7 (a) by striking out “fiscal year 1994” and in-
8 serting in lieu thereof “fiscal year 1995”;

9 (b) by striking out “Appropriations Act, 1994”
10 and inserting in lieu thereof “Appropriations Act,
11 1995”; and

12 (c) by striking out “\$700,000,000” and insert-
13 ing in lieu thereof “\$775,000,000”.

CASH FLOW FINANCING

14
15 SEC. 543. For each country that has been approved
16 for cash flow financing (as defined in section 25(d) of the
17 Arms Export Control Act, as added by section 112(b) of
18 Public Law 99-83) under the Foreign Military Financing
19 Program, any Letter of Offer and Acceptance or other
20 purchase agreement, or any amendment thereto, for a pro-
21 curement in excess of \$100,000,000 that is to be financed
22 in whole or in part with funds made available under this
23 Act shall be submitted through the regular notification
24 procedures to the Committees on Appropriations.

1 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
2 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
3 MENT FOUNDATION

4 SEC. 544. Unless expressly provided to the contrary,
5 provisions of this or any other Act, including provisions
6 contained in prior Acts authorizing or making appropria-
7 tions for foreign operations, export financing, and related
8 programs, shall not be construed to prohibit activities au-
9 thorized by or conducted under the Peace Corps Act, the
10 Inter-American Foundation Act, or the African Develop-
11 ment Foundation Act. The appropriate agency shall
12 promptly report to the Committees on Appropriations
13 whenever it is conducting activities or is proposing to con-
14 duct activities in a country for which assistance is prohib-
15 ited.

16 IMPACT ON JOBS IN THE UNITED STATES

17 SEC. 545. None of the funds appropriated by this Act
18 may be obligated or expended to provide—

19 (a) any financial incentive to a business enter-
20 prise currently located in the United States for the
21 purpose of inducing such an enterprise to relocate
22 outside the United States if such incentive or in-
23 ducement is likely to reduce the number of employ-
24 ees of such business enterprise in the United States
25 because United States production is being replaced
26 by such enterprise outside the United States;

1 (b) assistance for the purpose of establishing or
2 developing in a foreign country any export process-
3 ing zone or designated area in which the tax, tariff,
4 labor, environment, and safety laws of that country
5 do not apply, in part or in whole, to activities car-
6 ried out within that zone or area, unless the Presi-
7 dent determines and certifies that such assistance is
8 not likely to cause a loss of jobs within the United
9 States; or

10 (c) assistance for any project or activity that
11 contributes to the violation of internationally recog-
12 nized workers rights, as defined in section 502(a)(4)
13 of the Trade Act of 1974, of workers in the recipient
14 country, including any designated zone or area in
15 that country: *Provided*, That in recognition that the
16 application of this subsection should be commensu-
17 rate with the level of development of the recipient
18 country and sector, the provisions of this subsection
19 shall not preclude assistance for the informal sector
20 in such country, micro and small-scale enterprise,
21 and smallholder agriculture.

22 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

23 SEC. 546. (a) Congress finds as follows:

24 (1) The United Nations has imposed an embar-
25 go on the transfer of arms to any country on the
26 territory of the former Yugoslavia.

1 (2) The federated states of Serbia and
2 Montenegro have a large supply of military equip-
3 ment and ammunition and the Serbian forces fight-
4 ing the government of Bosnia-Hercegovina have
5 more than one thousand battle tanks, armored vehi-
6 cles, and artillery pieces.

7 (3) Because the United Nations arms embargo
8 is serving to sustain the military advantage of the
9 aggressor, the United Nations should exempt the
10 government of Bosnia-Hercegovina from its embar-
11 go.

12 (b) Pursuant to a lifting of the United Nations arms
13 embargo, or to a unilateral lifting of the arms embargo
14 by the President of the United States, against Bosnia-
15 Hercegovina, the President is authorized to transfer~~(99)~~,
16 *subject to the regular notification procedures of the Commit-*
17 *tees on Appropriations*, to the government of that nation,
18 without reimbursement, defense articles from the stocks
19 of the Department of Defense ~~(100)~~ *and defense services*
20 *of the Department of Defense* of an aggregate value not
21 to exceed \$50,000,000 in fiscal year 1995: *Provided*, That
22 the President certifies in a timely fashion to the Congress
23 that—

1 (1) the transfer of such articles would assist
2 that nation in self-defense and thereby promote the
3 security and stability of the region; and

4 (2) United States allies are prepared to join in
5 such a military assistance effort.

6 (c) Within 60 days of any transfer under the author-
7 ity provided in subsection (b), and every 60 days there-
8 after, the President shall report in writing to the Speaker
9 of the House of Representatives and the President pro
10 tempore of the Senate concerning the articles transferred
11 and the disposition thereof.

12 (d) There are authorized to be appropriated to the
13 President such sums as may be necessary to reimburse
14 the applicable appropriation, fund, or account for defense
15 articles provided under this section.

16 ~~(101)(e)~~ If the President determines that doing so
17 will contribute to a just resolution of charges regarding
18 genocide or other violations of international law in the
19 former Yugoslavia, the authority of section 552(c) of the
20 Foreign Assistance Act of 1961, as amended, may be used
21 to provide up to \$25,000,000 of commodities and services
22 to the United Nations War Crimes Tribunal, without re-
23 gard to the ceiling limitation contained in paragraph (2)
24 thereof: *Provided*, That the determination required under

1 this subsection shall be in lieu of any determinations oth-
2 erwise required under section 552(c).

3 SPECIAL AUTHORITIES

4 SEC. 547. (a) Funds appropriated in title II of this
5 Act that are made available for Haiti, Afghanistan, Leb-
6 anon, and Cambodia, and for victims of war, displaced
7 children, displaced Burmese, humanitarian assistance for
8 Romania, and humanitarian assistance for the peoples of
9 Bosnia-Hercegovina, Croatia, and Kosova, may be made
10 available notwithstanding any other provision of law: *Pro-*
11 *vided*, That any such funds that are made available for
12 Cambodia shall be subject to the provisions of section
13 531(e) of the Foreign Assistance Act of 1961 and section
14 906 of the International Security and Development Co-
15 operation Act of 1985: *Provided further*, That the Presi-
16 dent shall terminate assistance to any ~~(102)Cambodian~~
17 organization that he determines is cooperating, tactically
18 or strategically, with the Khmer Rouge in their military
19 operations.

20 (b) Funds appropriated by this Act to carry out the
21 provisions of sections 103 through 106 of the Foreign As-
22 sistance Act of 1961 may be used, notwithstanding any
23 other provision of law, for the purpose of supporting tropi-
24 cal forestry and energy programs aimed at reducing emis-
25 sions of greenhouse gases with regard to the key countries
26 in which deforestation and energy policy would make a

1 significant contribution to global warming(103), and for
2 the purpose of supporting biodiversity conservation activi-
3 ties. *Provided*, That such assistance shall be subject to sec-
4 tions 116, 502B, and 620A of the Foreign Assistance Act
5 of 1961.

6 (c) During fiscal year 1995, the President may use
7 up to \$50,000,000 under the authority of section 451 of
8 the Foreign Assistance Act of 1961, notwithstanding the
9 funding ceiling contained in subsection (a) of that section.

10 (d) The Agency for International Development may
11 employ personal services contractors, notwithstanding any
12 other provision of law, for the purpose of administering
13 programs for the West Bank and Gaza.

14 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
15 OF ISRAEL

16 SEC. 548. (a) FINDINGS.—The Congress finds that—

17 (1) since 1948 the Arab countries have main-
18 tained a primary boycott against Israel, refusing to
19 do business with Israel;

20 (2) since the early 1950s the Arab League has
21 maintained a secondary and tertiary boycott against
22 American and other companies that have commercial
23 ties with Israel;

24 (3) the boycott seeks to coerce American firms
25 by blacklisting those that do business with Israel
26 and harm America's competitiveness;

1 (4) the United States has a longstanding policy
2 opposing the Arab League boycott and United
3 States law prohibits American firms from providing
4 information to Arab countries to demonstrate com-
5 pliance with the boycott;

6 (5) with real progress being made in the Middle
7 East peace process and the serious confidence-build-
8 ing measures taken by the State of Israel an end to
9 the Arab boycott of Israel and of American compa-
10 nies that have commercial ties with Israel is long
11 overdue and would represent a significant con-
12 fidence-building measure; and

13 (6) in the interest of Middle East peace and
14 free commerce, the President must take more con-
15 crete steps to press the Arab states to end their
16 practice of blacklisting and boycotting American
17 companies that have trade ties with Israel.

18 (b) POLICY.—It is the sense of the Congress that—

19 (1) the Arab League countries should imme-
20 diately and publicly renounce the primary boycott of
21 Israel and the secondary and tertiary boycott of
22 American firms that have commercial ties with Is-
23 rael and

24 (2) the President should—

1 (A) take more concrete steps to encourage
2 vigorously Arab League countries to renounce
3 publicly the primary boycotts of Israel and the
4 secondary and tertiary boycotts of American
5 firms that have commercial relations with Israel
6 as a confidence-building measure;

7 (B) take into consideration the participa-
8 tion of any recipient country in the primary
9 boycott of Israel and the secondary and tertiary
10 boycotts of American firms that have commer-
11 cial relations with Israel when determining
12 whether to sell weapons to said country;

13 (C) report to Congress on the specific
14 steps being taken by the President to bring
15 about a public renunciation of the Arab primary
16 boycott of Israel and the secondary and tertiary
17 boycotts of American firms that have commer-
18 cial relations with Israel; and

19 (D) encourage the allies and trading part-
20 ners of the United States to enact laws prohib-
21 iting businesses from complying with the boy-
22 cott and penalizing businesses that do comply.

23 ANTI-NARCOTICS ACTIVITIES

24 SEC. 549. (a) Of the funds appropriated by this Act
25 under the heading "Economic Support Fund", assistance
26 may be provided to strengthen the administration of jus-

1 tice in countries in Latin America and the Caribbean in
2 accordance with the provisions of section 534 of the For-
3 eign Assistance Act of 1961, except that programs to en-
4 hance protection of participants in judicial cases may be
5 conducted notwithstanding section 660 of that Act.

6 **(104)** *(b) Of the funds appropriated by this Act under*
7 *the heading “Economic Support Fund”, notwithstanding*
8 *section 660 of the Foreign Assistance Act of 1961, up to*
9 *\$3,000,000 may be made available, subject to the regular*
10 *notification procedures of the Committees on Appropria-*
11 *tions, for technical assistance, training, and commodities*
12 *with the objective of creating a professional civilian police*
13 *force for Panama, and for programs to improve penal insti-*
14 *tutions and the rehabilitation of offenders in Panama*
15 *(which programs may be conducted other than through mul-*
16 *tilateral or regional institutions), except that such technical*
17 *assistance shall not include more than \$1,000,000 for the*
18 *procurement of equipment for law enforcement purposes,*
19 *and shall not include lethal equipment.*

20 **(105)**~~(b)~~ *(c) Funds made available pursuant to this*
21 *section may be made available notwithstanding the third*
22 *sentence of section 534(e) of the Foreign Assistance Act*
23 *of 1961. Funds made available pursuant to subsection*
24 **(106)**~~(a)(1)~~ *(a) for Bolivia, Colombia and Peru and sub-*
25 *section **(107)***~~(a)(2)~~ *(b) may be made available notwith-*

1 standing section 534(c) and the second sentence of section
2 534(e) of the Foreign Assistance Act of 1961.

3 ELIGIBILITY FOR ASSISTANCE

4 SEC. 550. (a) ASSISTANCE THROUGH NONGOVERN-
5 MENTAL ORGANIZATIONS.—Restrictions contained in this
6 or any other Act with respect to assistance for a country
7 shall not be construed to restrict assistance in support of
8 programs of nongovernmental organizations from funds
9 appropriated by this Act to carry out the provisions of
10 chapters 1 and 10 of part I of the Foreign Assistance Act
11 of 1961: *Provided*, That the President shall take into con-
12 sideration, in any case in which a restriction on assistance
13 would be applicable but for this subsection, whether assist-
14 ance in support of programs of nongovernmental organiza-
15 tions is in the national interest of the United States: *Pro-*
16 *vided further*, That before using the authority of this sub-
17 section to furnish assistance in support of programs of
18 nongovernmental organizations, the President shall notify
19 the Committees on Appropriations under the regular noti-
20 fication procedures of those committees, including a de-
21 scription of the program to be assisted, the assistance to
22 be provided, and the reasons for furnishing such assist-
23 ance: *Provided further*, That nothing in this subsection
24 shall be construed to alter any existing statutory prohibi-
25 tions against abortion or involuntary sterilizations con-
26 tained in this or any other Act.

1 (b) PUBLIC LAW 480.—During fiscal year 1995, re-
2 strictions contained in this or any other Act with respect
3 to assistance for a country shall not be construed to re-
4 strict assistance under titles I and II of the Agricultural
5 Trade Development and Assistance Act of 1954: *Provided,*
6 That none of the funds appropriated to carry out title I
7 of such Act and made available pursuant to this subsection
8 may be obligated or expended except as provided through
9 the regular notification procedures of the Committees on
10 Appropriations.

11 (c) EXCEPTION.—This section shall not apply—

12 (1) with respect to section 529 of this Act or
13 any comparable provision of law prohibiting assist-
14 ance to countries that support international terror-
15 ism; or

16 (2) with respect to section 116 of the Foreign
17 Assistance Act of 1961 or any comparable provision
18 of law prohibiting assistance to countries that violate
19 internationally recognized human rights.

20 EARMARKS

21 SEC. 551. (a) Funds appropriated by this Act which
22 are earmarked may be reprogrammed for other programs
23 within the same account notwithstanding the earmark if
24 compliance with the earmark is made impossible by oper-
25 ation of any provision of this or any other Act or, with
26 respect to a country with which the United States has an

1 agreement providing the United States with base rights
2 or base access in that country, if the President determines
3 that the recipient for which funds are earmarked has sig-
4 nificantly reduced its military or economic cooperation
5 with the United States since enactment of the Foreign Op-
6 erations, Export Financing, and Related Programs Appro-
7 priations Act, 1991; however, before exercising the author-
8 ity of this subsection with regard to a base rights or base
9 access country which has significantly reduced its military
10 or economic cooperation with the United States, the Presi-
11 dent shall consult with, and shall provide a written policy
12 justification to the Committees on Appropriations: *Pro-*
13 *vided*, That any such reprogramming shall be subject to
14 the regular notification procedures of the Committees on
15 Appropriations: *Provided further*, That assistance that is
16 reprogrammed pursuant to this subsection shall be made
17 available under the same terms and conditions as origi-
18 nally provided.

19 (b) In addition to the authority contained in sub-
20 section (a), the original period of availability of funds ap-
21 propriated by this Act and administered by the Agency
22 for International Development that are earmarked for par-
23 ticular programs or activities by this or any other Act shall
24 be extended for an additional fiscal year if the Adminis-
25 trator of such agency determines and reports promptly to

1 the Committees on Appropriations that the termination of
2 assistance to a country or a significant change in cir-
3 cumstances makes it unlikely that such earmarked funds
4 can be obligated during the original period of availability:
5 *Provided*, That such earmarked funds that are continued
6 available for an additional fiscal year shall be obligated
7 only for the purpose of such earmark.

8 CEILINGS AND EARMARKS

9 SEC. 552. Ceilings and earmarks contained in this
10 Act shall not be applicable to funds or authorities appro-
11 priated or otherwise made available by any subsequent Act
12 unless such Act specifically so directs.

13 EXCESS DEFENSE ARTICLES

14 SEC. 553. **(108)** *(a)* The authority of section 519 of
15 the Foreign Assistance Act of 1961, as amended, may be
16 used in fiscal year 1995 to provide nonlethal excess de-
17 fense articles to countries for which United States foreign
18 assistance has been requested and for which receipt of
19 such articles was separately justified for the fiscal year,
20 without regard to the restrictions in subsection (a) of sec-
21 tion 519.

22 **(109)** *(b)* *The authority of section 518 of the Foreign*
23 *Assistance Act of 1961 may be exercised notwithstanding*
24 *any other provision of law.*

1 PROHIBITION ON PUBLICITY OR PROPAGANDA

2 SEC. 554. No part of any appropriation contained in
3 this Act shall be used for publicity or propaganda purposes
4 within the United States not authorized before the date
5 of enactment of this Act by the Congress.

6 DISADVANTAGED ENTERPRISES

7 SEC. 555. (a) Except to the extent that the Adminis-
8 trator of the Agency for International Development deter-
9 mines otherwise, not less than 10 percent of the aggregate
10 amount made available for the current fiscal year for the
11 “Development Assistance Fund”, “Population, Develop-
12 ment Assistance”, and the “Development Fund for Afri-
13 ca” shall be made available only for activities of United
14 States organizations and individuals that are—

- 15 (1) business concerns owned and controlled by
16 socially and economically disadvantaged individuals,
- 17 (2) historically black colleges and universities,
- 18 (3) colleges and universities having a student
19 body in which more than 40 per centum of the stu-
20 dents are Hispanic American, and
- 21 (4) private voluntary organizations which are
22 controlled by individuals who are socially and eco-
23 nomically disadvantaged.

24 (b)(1) In addition to other actions taken to carry out
25 this section, the actions described in paragraphs (2)
26 through (5) shall be taken with respect to development

1 assistance and assistance for sub-Saharan Africa for the
2 current fiscal year.

3 (2) Notwithstanding any other provision of law, in
4 order to achieve the goals of this section, the Adminis-
5 trator—

6 (A) to the maximum extent practicable, shall
7 utilize the authority of section 8(a) of the Small
8 Business Act (15 U.S.C. 637(a));

9 (B) to the maximum extent practicable, shall
10 enter into contracts with small business concerns
11 owned and controlled by socially and economically
12 disadvantaged individuals, and organizations con-
13 tained in paragraphs (2) through (4) of subsection
14 (a)—

15 (i) using less than full and open competi-
16 tive procedures under such terms and condi-
17 tions as the Administrator deems appropriate,
18 and

19 (ii) using an administrative system for jus-
20 tifications and approvals that, in the Adminis-
21 trator's discretion, may best achieve the pur-
22 pose of this section; and

23 (C) shall issue regulations to require that any
24 contract in excess of \$500,000 contain a provision
25 requiring that no less than 10 per centum of the dol-

1 lar value of the contract be subcontracted to entities
2 described in subsection (a), except—

3 (i) to the extent the Administrator deter-
4 mines otherwise on a case-by-case or category-
5 of-contract basis; and

6 (ii) this subparagraph does not apply to
7 any prime contractor that is an entity described
8 in subsection (a).

9 (3) Each person with contracting authority who is at-
10 tached to the Agency's headquarters in Washington, as
11 well as all Agency missions and regional offices, shall no-
12 tify the Agency's Office of Small and Disadvantaged Busi-
13 ness Utilization at least seven business days before adver-
14 tising a contract in excess of \$100,000, except to the ex-
15 tent that the Administrator determines otherwise on a
16 case-by-case or category-of-contract basis.

17 (4) The Administrator shall include, as part of the
18 performance evaluation of any mission director of the
19 agency, the mission director's efforts to carry out this sec-
20 tion.

21 (5) The Administrator shall submit to the Congress
22 annual reports on the implementation of this section. Each
23 such report shall specify the number and dollar value or
24 amount (as the case may be) of prime contracts, sub-
25 contracts, grants, and cooperative agreements awarded to

1 entities described in subsection (a) during the preceding
2 fiscal year.

3 (c) As used in this section, the term “socially and
4 economically disadvantaged individuals” has the same
5 meaning that term is given for purposes of section 8(d)
6 of the Small Business Act, except that the term includes
7 women.

8 USE OF AMERICAN RESOURCES

9 SEC. 556. To the maximum extent possible, assist-
10 ance provided under this Act should make full use of
11 American resources, including commodities, products, and
12 services.

13 LIMITATIONS ON ASSISTANCE FOR NICARAGUA

14 SEC. 557. (a) Funds appropriated by this Act under
15 the heading “Economic Support Fund” may only be made
16 available to the Government of Nicaragua upon the notifi-
17 cation, in writing, by the Secretary of State to the appro-
18 priate committees that he has determined that significant
19 and tangible progress is being made by the Government
20 of Nicaragua toward—

21 (110)(1) *a full and independent investigation*
22 *conducted relating to issues raised by the discovery,*
23 *after the May 23 explosion in Managua, of weapons*
24 *caches, false passports, identity papers and other doc-*
25 *uments, suggesting the existence of a terrorist/kidnap-*
26 *ping ring;*

1 ~~(111)(1)~~ (2) the prosecution of any individual
2 identified as part of a terrorist/kidnapping ring by
3 the investigation of issues raised by the discovery,
4 after the May 23, ~~(112)~~1993, explosion in Managua,
5 of weapons caches, false passports, identity papers
6 and other documents, suggesting the existence of
7 such a ring, including all government officials (in-
8 cluding any members of the armed forces or security
9 forces);

10 ~~(113)(2)~~ (3) the resolution of expropriation
11 claims and the effective compensation of legitimate
12 claims;

13 ~~(114)(3)~~ (4) the timely implementation of rec-
14 ommendations made by the Tripartite Commission
15 as it undertakes to review and identify those respon-
16 sible for gross human rights violations, including the
17 expeditious prosecution of individuals identified by
18 the commission in connection with such violations;

19 ~~(115)(4)~~ (5) the enactment into law of legisla-
20 tion to reform the Nicaraguan military and security
21 forces in order to guarantee civilian control over the
22 armed forces;

23 ~~(116)(5)~~ (6) the establishment of civilian con-
24 trol over the police, and the independence of the po-
25 lice from the military; and

1 ~~(117)(6)~~ (7) the effective reform of the Nica-
2 ragan judicial system.

3 (b) The notification pursuant to subsection (a) above
4 shall include a detailed listing of the tangible evidence that
5 forms the basis for such determination.

6 (c) For purposes of this section, the term “appro-
7 priate committees” means the Committees on Foreign Re-
8 lations and Appropriations of the Senate and Committees
9 on Foreign Affairs and Appropriations of the House of
10 Representatives.

11 PROHIBITION OF PAYMENTS TO UNITED NATIONS

12 MEMBERS

13 SEC. 558. None of the funds appropriated or made
14 available pursuant to this Act for carrying out the Foreign
15 Assistance Act of 1961, may be used to pay in whole or
16 in part any assessments, arrearages, or dues of any mem-
17 ber of the United Nations.

18 CONSULTING SERVICES

19 SEC. 559. The expenditure of any appropriation
20 under this Act for any consulting service through procure-
21 ment contract, pursuant to section 3109 of title 5, United
22 States Code, shall be limited to those contracts where such
23 expenditures are a matter of public record and available
24 for public inspection, except where otherwise provided
25 under existing law, or under existing Executive order pur-
26 suant to existing law.

1 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

2 SEC. 560. None of the funds appropriated or made
3 available pursuant to this Act shall be available to a pri-
4 vate voluntary organization which fails to provide upon
5 timely request any document, file, or record necessary to
6 the auditing requirements of the Agency for International
7 Development, nor shall any of the funds appropriated by
8 this Act be made available to any private voluntary organi-
9 zation which is not registered with the Agency for Inter-
10 national Development.

11 SPECIAL DEBT RELIEF FOR THE POOREST

12 ~~(118)SEC. 561. (1) AUTHORITY TO REDUCE~~
13 ~~DEBT.—The President may reduce amounts owed to the~~
14 ~~United States (or any agency of the United States) by~~
15 ~~an eligible country as a result of—~~

16 ~~(A) guarantees issued under sections 221 and~~
17 ~~222 of the Foreign Assistance Act of 1961; or~~

18 ~~(B) credits extended or guarantees issued under~~
19 ~~the Arms Export Control Act.~~

20 ~~(2) LIMITATIONS.—~~

21 ~~(A) The authority provided by paragraph (1)~~
22 ~~may be exercised only to implement multilateral offi-~~
23 ~~cial debt relief and referendum agreements, com-~~
24 ~~monly referred to as “Paris Club Agreed Minutes”.~~

25 ~~(B) The authority provided by paragraph (1)~~
26 ~~may be exercised only in such amounts or to such~~

1 extent as is provided in advance by appropriations
2 Acts.

3 ~~(C)~~ The authority provided by paragraph ~~(1)~~
4 may be exercised only with respect to countries with
5 heavy debt burdens that are eligible to borrow from
6 the International Development Association, but not
7 from the International Bank for Reconstruction and
8 Development, commonly referred to as “IDA-only”
9 countries.

10 ~~(3)~~ CONDITIONS.—The authority provided by para-
11 graph ~~(1)~~ may be exercised only with respect to a country
12 whose government—

13 ~~(A)~~ does not have an excessive level of military
14 expenditures;

15 ~~(B)~~ has not repeatedly provided support for
16 acts of international terrorism;

17 ~~(C)~~ is not failing to cooperate on international
18 narcotics control matters; and

19 ~~(D)~~ (including its military or other security
20 forces) does not engage in a consistent pattern of
21 gross violations of internationally recognized human
22 rights.

23 ~~(4)~~ AVAILABILITY OF FUNDS.—The authority pro-
24 vided by paragraph ~~(1)~~ may be used only with regard to

1 funds appropriated by this Act under the heading “Debt
2 Restructuring”.

3 ~~(5) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-~~
4 ~~duction of debt pursuant to paragraph (1) shall not be~~
5 ~~considered assistance for purposes of any provision of law~~
6 ~~limiting assistance to a country.~~

7 *SEC. 561. (a) AUTHORITY TO REDUCE DEBT.—The*
8 *President may reduce amounts owed to the United States*
9 *(or any agency of the United States) by an eligible country*
10 *as a result of—*

11 *(1) guarantees issued under sections 221 and 222*
12 *of the Foreign Assistance Act of 1961; or*

13 *(2) credits extended or guarantees issued under*
14 *the Arms Export Control Act.*

15 *(b) LIMITATIONS.—*

16 *(1) The authority provided by subsection (a)*
17 *may be exercised only to implement multilateral offi-*
18 *cial debt relief and referendum agreements, commonly*
19 *referred to as “Paris Club Agreed Minutes”.*

20 *(2) The authority provided by subsection (a)*
21 *may be exercised only in such amounts or to such ex-*
22 *tent as is provided in advance by appropriations*
23 *Acts.*

24 *(3) The authority provided by subsection (a)*
25 *may be exercised only with respect to countries with*

1 *heavy debt burdens that are eligible to borrow from*
2 *the International Development Association, but not*
3 *from the International Bank for Reconstruction and*
4 *Development, commonly referred to as “IDA-only”*
5 *countries.*

6 *(c) CONDITIONS.—The authority provided by sub-*
7 *section (a) may be exercised only with respect to a country*
8 *whose government—*

9 *(1) does not have an excessive level of military*
10 *expenditures;*

11 *(2) has not repeatedly provided support for acts*
12 *of international terrorism;*

13 *(3) is not failing to cooperate on international*
14 *narcotics control matters;*

15 *(4) (including its military or other security*
16 *forces) does not engage in a consistent pattern of gross*
17 *violations of internationally recognized human rights;*
18 *and*

19 *(5) has not nationalized, expropriated, or other-*
20 *wise seized ownership or control of property owned by*
21 *any United States person and has not either—*

22 *(A) returned the property;*

23 *(B) provided adequate and effective com-*
24 *ensation for such property in convertible for-*
25 *eign exchange or other mutually acceptable com-*

1 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
2 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
3 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
4 TERRORISM

5 SEC. 563. (a) None of the funds appropriated or oth-
6 erwise made available by this Act may be available to any
7 foreign government which provides lethal military equip-
8 ment to a country the government of which the Secretary
9 of State has determined is a terrorist government for pur-
10 poses of section 40(d) of the Arms Export Control Act.
11 The prohibition under this section with respect to a for-
12 eign government shall terminate 12 months after that gov-
13 ernment ceases to provide such military equipment. This
14 section applies with respect to lethal military equipment
15 provided under a contract entered into after the date of
16 enactment of this Act.

17 (b) Assistance restricted by subsection (a) or any
18 other similar provision of law, may be furnished if the
19 President determines that furnishing such assistance is
20 important to the national interests of the United States.

21 (c) Whenever the waiver of subsection (b) is exer-
22 cised, the President shall submit to the appropriate con-
23 gressional committees a report with respect to the furnish-
24 ing of such assistance. Any such report shall include a de-
25 tailed explanation of the assistance to be provided, includ-

1 ing the estimated dollar amount of such assistance, and
2 an explanation of how the assistance furthers United
3 States national interests.

4 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

5 OWED BY FOREIGN COUNTRIES

6 SEC. 564. (a) IN GENERAL.—Of the funds made
7 available for a foreign country under part I of the Foreign
8 Assistance Act of 1961, an amount equivalent to 110 per-
9 cent of the total unpaid fully adjudicated parking fines
10 and penalties owed to the District of Columbia by such
11 country as of the date of enactment of this Act shall be
12 withheld from obligation for such country until the Sec-
13 retary of State certifies and reports in writing to the ap-
14 propriate congressional committees that such fines and
15 penalties are fully paid to the government of the District
16 of Columbia.

17 (b) DEFINITION.—For purposes of this section, the
18 term “appropriate congressional committees” means the
19 Committee on Foreign Relations and the Committee on
20 Appropriations of the Senate and the Committee on For-
21 eign Affairs and the Committee on Appropriations of the
22 House of Representatives.

23 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE

24 WEST BANK AND GAZA

25 SEC. 565. None of the funds appropriated by this Act
26 may be obligated for assistance for the Palestine Libera-

1 tion Organization for the West Bank and Gaza unless the
 2 President has exercised the authority under section 583(a)
 3 of the Middle East Peace Facilitation Act of 1994 (part
 4 E of title V of Public Law 103–236) or any other legisla-
 5 tion to suspend or make inapplicable section 307 of the
 6 Foreign Assistance Act of 1961 and that suspension is
 7 still in effect: *Provided*, That if the President fails to make
 8 the certification under section 583(b)(2) of the Middle
 9 East Peace Facilitation Act or to suspend the prohibition
 10 under other legislation, funds appropriated by this Act
 11 may not be obligated for assistance for the Palestine Lib-
 12 eration Organization for the West Bank and ~~(119)~~Gaza
 13 unless the President determines that it is in the national
 14 interest to do so and so reports to the Congress.

15 ~~(120)~~FACILITATE PEACE IN MIDDLE EAST

16 *SEC. 565A. ADDITIONAL CONGRESSIONAL EXPECTA-*
 17 *TION.—Section 583(b)(5) of the Middle East Peace Facilita-*
 18 *tion Act is amended—*

19 *(1) by striking “and” at the end of subpara-*
 20 *graph (C);*

21 *(2) by striking the period at the end of subpara-*
 22 *graph (D) and inserting “; and”; and*

23 *(3) by adding at the end the following new sub-*
 24 *paragraph:*

1 “(E) amending its National Covenant to
2 eliminate all references calling for the destruc-
3 tion of Israel.”.

4 PROCUREMENT REDUCTION

5 SEC. 566. (a) Of the budgetary resources available
6 to the Agency for International Development during fiscal
7 year 1995, \$1,598,000 are permanently canceled.

8 (b) The Administrator of the Agency for Inter-
9 national Development shall allocate the amount of budg-
10 etary resources canceled among the Agency’s accounts
11 available for procurement and procurement-related ex-
12 penses. Amounts available for procurement and procure-
13 ment-related expenses in each such account shall be re-
14 duced by the amount allocated to such account.

15 (c) For the purposes of this section, the definition
16 of “procurement” includes all stages of the process of ac-
17 quiring property or services, beginning with the process
18 of determining a need for a product or services and ending
19 with contract completion and closeout, as specified in sec-
20 tion 403(a)(2) of title 41, United States Code.

21 (121)IMPLEMENTATION OF WAPENHANS REPORT

22 RECOMMENDATIONS

23 SEC. 567. Funds appropriated by title I of this Act
24 under the headings “Contribution to the International
25 Bank for Reconstruction and Development”, “Contribu-
26 tion to the International Development Association”, and

1 “Contribution to the International Finance Corporation”
2 shall not be available for payment to any such institution
3 unless the Secretary of the Treasury (1) determines that
4 the recommendations contained in the report entitled Re-
5 port of the Portfolio Management Task Force (commonly
6 referred to as the “Wapenhans Report”) continue to be
7 implemented, and (2) reports that determination to the
8 Committee on Appropriations and the Committee on
9 Banking, Finance and Urban Affairs of the House of Rep-
10 resentatives and the Committee on Appropriations and the
11 Committee on Foreign Relations of the Senate.

12 *IMPLEMENTATION OF WORLD BANK RECOMMENDATIONS*

13 *SEC. 567. (a) Funds appropriated by title I of this*
14 *Act under the headings “Contribution to the International*
15 *Bank for Reconstruction and Development” and “Contribu-*
16 *tion to the International Development Association” shall be*
17 *available for payment to such institutions as follows:*

18 *(1) 50 percent of the funds appropriated under*
19 *each such heading shall be made available prior to*
20 *April 1, 1995, only if the Secretary of the Treasury*
21 *makes the determination (and so reports to the Com-*
22 *mittees on Appropriations) described in paragraph*
23 *(3) of this subsection at any time prior to that date.*

24 *(2) 50 percent of the funds appropriated under*
25 *each such heading shall be made available on April*
26 *1, 1995, or thereafter, only if the Secretary of the*

1 Treasury makes the determination (and so reports to
2 the Committees on Appropriations) described in para-
3 graph (3) of this subsection at any time on or after
4 that date.

5 (3) The determinations referred to in paragraphs
6 (1) and (2) are determinations that the International
7 Bank for Reconstruction and Development is—

8 (A) implementing the recommendations con-
9 tained in “Next Steps”, the follow-up to the
10 Wapenhans Report;

11 (B) implementing the action plan contained
12 in chapter 8 of its April 8, 1994, resettlement re-
13 view entitled “Resettlement and Development”;

14 (C) implementing the Bank’s procedures on
15 Disclosure of Operational Information issued in
16 September 1993; and

17 (D) actively encouraging borrowing govern-
18 ments to publicly disclose information on struc-
19 tural adjustment programs.

20 (b) Funds appropriated by title I of this Act under
21 the heading “Contribution to the International Finance
22 Corporation” shall be available for payment to such institu-
23 tion as follows:

24 (1) 50 percent of the funds appropriated under
25 such heading shall be made available prior to April

1 *1, 1995, only if the Secretary of the Treasury makes*
2 *the determination (and so reports to the Committees*
3 *on Appropriations) described in paragraph (3) of this*
4 *subsection.*

5 *(2) 50 percent of the funds appropriated under*
6 *such heading shall be made available on or after*
7 *April 1, 1995, only if the Secretary of the Treasury*
8 *makes the determination (and so reports to the Com-*
9 *mittees on Appropriations) described in paragraph*
10 *(3) of this subsection.*

11 *(3) The determinations referred to in paragraphs*
12 *(1) and (2) are determinations that the International*
13 *Finance Corporation is pursuing reforms comparable*
14 *to those adopted by the International Bank for Recon-*
15 *struction and Development regarding the environ-*
16 *ment, information disclosure, and resettlement.*

17 RESTRICTIONS ON ASSISTANCE TO RUSSIA

18 SEC. 568. (a) RESTRICTION.—None of the funds ap-
19 propriated or otherwise made available by this Act may
20 be obligated for assistance for the Government of Russia
21 after December 31, 1994, unless ~~(122)~~it has been made
22 ~~known to the President that~~ all armed forces of Russia
23 and the Commonwealth of Independent States have been
24 removed from all Baltic countries or that the status of
25 those armed forces have been otherwise resolved by mutual
26 agreement of the parties.

1 (b) EXEMPTION.—Subsection (a) does not apply to
 2 assistance that involves the provision of student exchange
 3 programs, food, clothing, medicine, or other humanitarian
 4 assistance or to housing assistance for officers of the
 5 armed forces of Russia or the Commonwealth of Independ-
 6 ent States who are removed from the territory of Estonia,
 7 Latvia, ~~(123)and Lithuania~~ *Lithuania, or countries other*
 8 *than Russia.*

9 (c) WAIVER.—Subsection (a) does not apply if after
 10 December 31, 1994, the President determines that the
 11 provision of funds to the Government of Russia is in the
 12 national interest.

13 ~~(124)ADDITIONAL LIMITATION ON FUNDS TO ENSURE~~
 14 ~~IMPLEMENTATION OF WAPENHANS REPORT REC-~~
 15 ~~COMMENDATIONS~~

16 ~~SEC. 569. (a) LIMITATION ON AMOUNTS AVAILABLE~~
 17 ~~BEFORE APRIL 1, 1995.—If amounts appropriated by~~
 18 ~~title I become available pursuant to section 567—~~

19 (1) not more than \$30,000,000 shall be avail-
 20 able for obligation before April 1, 1995, for “Con-
 21 tribution to the International Bank for Reconstruc-
 22 tion and Development” for payment for contribution
 23 to the Global Environment Facility;

24 (2) not more than \$1,024,332,000 shall be
 25 available for obligation before April 1, 1995, for

1 “Contribution to the International Development As-
2 sociation”; and

3 ~~(3) not more than \$35,761,500 shall be avail-~~
4 ~~able for obligation before April 1, 1995, for “Con-~~
5 ~~tribution to the International Finance Corporation”.~~

6 ~~(b) REQUIREMENTS FOR AVAILABILITY OF ADDI-~~
7 ~~TIONAL AMOUNTS.—No amount in excess of any sum~~
8 ~~specified in subsection (a) with respect to an account or~~
9 ~~activity shall become available on or after April 1, 1995,~~
10 ~~unless the Secretary of the Treasury—~~

11 ~~(1) determines that the recommendations con-~~
12 ~~tained in the report entitled Report of the Portfolio~~
13 ~~Management Task Force (commonly referred to as~~
14 ~~the “Wapenhans Report”) continue to be imple-~~
15 ~~mented as of such date;~~

16 ~~(2) reports such determination to the Commit-~~
17 ~~tee on Appropriations and the Committee on Bank-~~
18 ~~ing, Finance and Urban Affairs of the House of~~
19 ~~Representatives and the Committee on Appropria-~~
20 ~~tions and the Committee on Foreign Relations of the~~
21 ~~Senate; and~~

22 ~~(3) complies with the regular notification proce-~~
23 ~~dures of the Committee on Appropriations.~~

1 *That funds made available for the purposes of this section*
2 *may be used for transportation of United States agricul-*
3 *tural commodities provided under this section: Provided*
4 *further, That the President may enter into agreements with*
5 *the governments of the new independent states and non-*
6 *governmental organizations to provide for the sale of any*
7 *part of the United States agricultural commodities in the*
8 *new independent states for local currencies: Provided fur-*
9 *ther, That any such local currencies shall be used in the*
10 *new independent states to process, transport, store, distrib-*
11 *ute or otherwise enhance the effectiveness of the use of*
12 *United States agricultural commodities provided under this*
13 *section, and to support agricultural and rural development*
14 *activities.*

15 **(129)** *EXPORT FINANCING TRANSFER AUTHORITIES*

16 *SEC. 573. Not to exceed 5 percent of any appropriation*
17 *other than for administrative expenses made available for*
18 *the current fiscal year for programs under title IV of this*
19 *Act may be transferred between such appropriations for use*
20 *for any of the purposes, programs and activities for which*
21 *the funds in such receiving account may be used, but no*
22 *such appropriation, except as otherwise specifically pro-*
23 *vided, shall be increased by more than 25 percent by any*
24 *such transfer: Provided, That the exercise of such authority*
25 *shall be subject to the regular notification procedures of the*

1 *Committees on Appropriations: Provided further, That*
2 *\$12,000,000 shall be immediately transferred from funds*
3 *available to the Export-Import Bank for fiscal year 1994*
4 *to the Overseas Private Investment Corporation, and*
5 *\$1,000,000 shall be immediately transferred from funds*
6 *available to the Export-Import Bank for fiscal year 1994*
7 *to the Trade and Development Agency: Provided further,*
8 *That the provisions of the previous proviso shall be effective*
9 *on the date of enactment of this Act.*

10 **(130)**INCAE

11 *SEC. 574. The Government of Nicaragua may assume*
12 *the obligation of the Central American Institute of Business*
13 *Administration (INCAE) to make payment to the United*
14 *States under a loan made to INCAE pursuant to an Alli-*
15 *ance for Progress Loan Agreement dated April 25, 1972:*
16 *Provided, That such payment shall be for the cost, as de-*
17 *finied in section 13201 of the Budget Enforcement Act of*
18 *1990, of such obligation and shall relieve INCAE of any*
19 *further liability to the United States for payment of interest*
20 *and principal under such loan notwithstanding section*
21 *620(r) of the Foreign Assistance Act of 1961.*

22 **(131)**MONGOLIA

23 *SEC. 575. Section 620(f) of the Foreign Assistance Act*
24 *of 1961 is amended by striking "Mongolian People's Repub-*
25 *lic." from the list contained therein.*

1 **(132)** *REPORT ON COMPLIANCE WITH COMMITMENTS*

2 *SEC. 576. Section 804(b) of title VIII of Public Law*
3 *101–246 (PLO Commitments Compliance Act of 1989) is*
4 *amended—*

5 *(1) in paragraph (9) by striking “; and” and in-*
6 *serting in lieu thereof “;”;*

7 *(2) by striking the period at the end of para-*
8 *graph (10) and inserting in lieu thereof “; and”; and*

9 *(3) by adding the following new paragraph:*

10 *“(11) measures taken by the PLO to prevent acts*
11 *of terrorism, crime and hostilities and to legally pun-*
12 *ish offenders, as called for in the Gaza-Jericho agree-*
13 *ment of May 4, 1994.”*

14 **(133)** *WAR CRIMES TRIBUNALS*

15 *SEC. 577. If the President determines that doing so*
16 *will contribute to a just resolution of charges regarding*
17 *genocide or other violations of international humanitarian*
18 *law, the authority of section 552(c) of the Foreign Assist-*
19 *ance Act of 1961, as amended, may be used to provide up*
20 *to \$25,000,000 of commodities and services to the United*
21 *Nations War Crimes Tribunal established with regard to*
22 *the former Yugoslavia by the United Nations Security*
23 *Council or such other tribunals or commissions as the Coun-*
24 *cil may establish to deal with such violations, without re-*
25 *gard to the ceiling limitation contained in paragraph (2)*

1 *thereof: Provided, That the determination required under*
 2 *this section shall be in lieu of any determinations otherwise*
 3 *required under section 552(c): Provided further, That 60*
 4 *days after the date of enactment of this Act, and every 180*
 5 *days thereafter, the Secretary of State shall submit a report*
 6 *to the Committees on Appropriations describing the steps*
 7 *the United States Government is taking to collect informa-*
 8 *tion regarding allegations of genocide or other violations*
 9 *of international law in the former Yugoslavia and to fur-*
 10 *nish that information to the United Nations War Crimes*
 11 *Tribunal for the former Yugoslavia.*

12 **(134)** *DONATION OF SURPLUS AGRICULTURAL*

13 *COMMODITIES TO POLAND*

14 *SEC. 578. (a) EXTENSION OF AUTHORIZATION.—Sec-*
 15 *tion 2223(a) of the American Aid to Poland Act of 1988*
 16 *(7 U.S.C. 1431 note) is amended by striking “1988 through*
 17 *1992” and inserting “1995 through 1999”.*

18 *(b) DEFINITION OF ELIGIBLE COMMODITIES.—Section*
 19 *2223(b)(1) of that Act is amended by inserting “, soybeans,*
 20 *and soybean products” after “feed grains”.*

21 *(c) ELIGIBLE ACTIVITIES.—Section 416(b)(7)(D)(ii)*
 22 *of the Agricultural Act of 1949 (7 U.S.C. 1431(b)(7)(D)(ii))*
 23 *is amended in the third sentence—*

24 *(1) by striking “and” at the end of subclause*
 25 *(II);*

1 **(136)** *TELECOMMUNICATIONS PROCUREMENT*

2 *SEC. 580. It is the sense of the Congress that the Agen-*
3 *cy for International Development, and other agencies as ap-*
4 *propriate, should take steps to ensure that United States*
5 *firms are not unfairly disadvantaged in procurement op-*
6 *portunities related to promoting development through tele-*
7 *communications enhancement. The Congress expects that*
8 *high technology firms primarily owned by nationals of*
9 *countries which deny procurement opportunities to United*
10 *States firms will not be eligible to bid on procurement op-*
11 *portunities funded by programs in this Act. In particular,*
12 *the Congress would oppose such purchases if the government*
13 *of that country restricts American manufacturers of the*
14 *same high technology products from government procure-*
15 *ment or government-financed programs.*

16 **(137)** *COUNTRY DEVELOPMENT POLICIES REPORT*

17 *SEC. 581. (a) REPORTING REQUIREMENT.—The Sec-*
18 *retary of State shall, by March 31, 1995, submit to the Com-*
19 *mittees on Appropriations a report providing a concise*
20 *overview of the prospects for economic growth on a broad,*
21 *equitable, and sustainable basis in the countries receiving*
22 *economic assistance under title II of this Act. For each*
23 *country, the report shall discuss the laws, policies, and*
24 *practices of that country that most contribute to or detract*
25 *from the achievement of this kind of growth. The report*

1 *should address relevant macroeconomic, microeconomic, so-*
2 *cial, legal, environmental, and political factors.*

3 (b) *COUNTRIES.*—*The countries referred to in sub-*
4 *section (a) are countries—*

5 (1) *for which in excess of a total of \$5,000,000*
6 *has been obligated during the previous fiscal year for*
7 *assistance under sections 103 through 106, chapters*
8 *10 and 11 of part I, and chapter 4 of part II of the*
9 *Foreign Assistance Act of 1961, and under the Sup-*
10 *port for East European Democracy Act of 1989; or*

11 (2) *for which in excess of \$1,000,000 has been ob-*
12 *ligated during the previous fiscal year for assistance*
13 *administered by the Overseas Private Investment Cor-*
14 *poration.*

15 (c) *CONSULTATION.*—*The Secretary of State shall sub-*
16 *mit the report required by subsection (a) in consultation*
17 *with the Secretary of the Treasury, the Administrator of*
18 *the Agency for International Development, and the Presi-*
19 *dent of the Overseas Private Investment Corporation.*

20 **(138)** *NONLETHAL EXCESS DEFENSE ARTICLES*

21 *Sec. 582. Notwithstanding section 519(f) of the Foreign*
22 *Assistance Act of 1961, during fiscal year 1995, funds*
23 *available to the Department of Defense may be expended*
24 *for crating, packing, handling and transportation of*

1 *nonlethal excess defense articles transferred under the au-*
2 *thority of section 519 to Albania.*

3 **(139)** *LANDMINES*

4 *SEC. 583. Notwithstanding any other provision of law,*
5 *demining equipment available to any department or agency*
6 *and used in support of the clearing of landmines for hu-*
7 *manitarian purposes may be disposed of on a grant basis*
8 *in foreign countries, subject to such terms and conditions*
9 *as the President may prescribe.*

10 **(140)** *PROHIBITION ON PAYMENT OF CERTAIN EXPENSES*

11 *SEC. 584. None of the funds appropriated or otherwise*
12 *made available by this Act under the heading “INTER-*
13 *NATIONAL MILITARY EDUCATION AND TRAINING” or “FOR-*
14 *EIGN MILITARY FINANCING PROGRAM” for Informational*
15 *Program activities may be obligated or expended to pay*
16 *for—*

17 *(1) alcoholic beverages;*

18 *(2) food (other than food provided at a military*
19 *installation) not provided in conjunction with Infor-*
20 *mational Program trips where students do not stay at*
21 *a military installation; or*

22 *(3) entertainment expenses for activities that are*
23 *substantially of a recreational character, including*
24 *entrance fees at sporting events and amusement*
25 *parks.*

(141) BURMA

1
2 *SEC. 585. (1) The Senate finds that:*

3 *(A) The Burmese people overwhelmingly voted in*
4 *1990 to begin a process of political and economic re-*
5 *form based on a fundamental respect for human*
6 *rights and freedom of political expression by resound-*
7 *ingly rejecting the military-led government of the*
8 *State Law and Order Restoration Council (SLORC),*
9 *and electing a coalition government headed by the*
10 *National League for Democracy;*

11 *(B) SLORC refused to recognize the will of the*
12 *Burmese people and in the wake of the election*
13 *launched a bloody crackdown against the*
14 *prodemocracy movement killing some activists*
15 *through torture; others were imprisoned or forced to*
16 *flee Burma;*

17 *(C) Since that time, all political dissent has been*
18 *banned with violators arrested, jailed often beaten*
19 *and sometimes executed for attempting to express*
20 *their political beliefs. The United States and United*
21 *Nations have repeatedly identified SLORC as one of*
22 *the worst offenders of human rights in the world;*

23 *(D) SLORC and military officials have a long*
24 *history of complicity in drug trafficking and produc-*
25 *tion;*

1 (E) *The forced conscription of rural villagers in-*
2 *cluding the elderly, pregnant women, and children as*
3 *slave labor to carry arms and ammunition for the*
4 *military, and build roads and bridges for government*
5 *projects continues. Slave porters are routinely mal-*
6 *nourished, beaten, often raped and sometimes executed*
7 *if they fail to perform work ordered by military offi-*
8 *cials;*

9 (F) *The massive infusion of new arms into*
10 *Burma poses a direct threat to regional stability; and*

11 (G) *The actions of the government of Thailand*
12 *in harassing and forcibly repatriating Burmese refu-*
13 *gees is of deep concern to the United States.*

14 (2) *The Senate of the United States of America calls*
15 *for:*

16 (A) *SLORC to immediately and unconditionally*
17 *release the leader of the National League for Democ-*
18 *racy, Aung San Suu Kyi, from house arrest and in-*
19 *stall the legitimate government of Burma;*

20 (B) *Immediate access to political detainees or*
21 *convicted prisoners of any kind by representatives of*
22 *the International Committee of the Red Cross.*

23 (C) *The regime in Rangoon to take real and*
24 *meaningful action against drug smugglers and cor-*

1 *equipment, medical supplies, and medicine to Bosnia and*
2 *Herzegovina, and for the repair and reconstruction of hos-*
3 *pitals, clinics, and medical facilities in Bosnia and*
4 *Herzegovina.*

5 **(144)** *POVERTY REDUCTION EMPHASIS FOR DEVELOPMENT*
6 *ASSISTANCE*

7 *SEC. 588. (a) Of the total amount of funds appro-*
8 *priated by this Act to carry out chapters 1 and 10 of part*
9 *I of the Foreign Assistance Act of 1961, a substantial per-*
10 *centage of the funds shall be available only to finance pro-*
11 *grams, projects, and activities that directly improve the*
12 *lives of the poor, with special emphasis on those individuals*
13 *living in absolute poverty.*

14 *(b) It is the sense of Congress that the President, in*
15 *carrying out this section, should—*

16 *(1) promulgate appropriate standards for identi-*
17 *fying those populations living in poverty;*

18 *(2) establish a program performance, monitor-*
19 *ing, and evaluation capacity within the Agency for*
20 *International Development that will develop and pre-*
21 *pare, in consultation with both local and inter-*
22 *national nongovernmental organizations, appropriate*
23 *indicators and criteria for monitoring and evaluation*
24 *of progress toward poverty reduction; and*

1 (3) take steps necessary to increase the direct in-
 2 volvement of the poor in project design, implementa-
 3 tion and evaluation, including increasing opportuni-
 4 ties for direct funding of local nongovernmental orga-
 5 nizations serving these populations, and other local
 6 capacity-building measures.

7 (c) The Congress urges the President, not later than
 8 April 1, 1995, to submit to the Congress a report setting
 9 forth the progress made in carrying out this section.

10 **(145)** *PAYMENTS-IN-KIND AS VOLUNTARY CONTRIBUTIONS*

11 *TO UNITED NATIONS PEACEKEEPING ACTIVITIES*

12 *SEC. 589. It is the sense of the Congress that—*

13 (1) *United States voluntary contributions to*
 14 *peacekeeping operations conducted by the United Na-*
 15 *tions may consist of contributions of excess defense ar-*
 16 *ticles or may be in the form of payments made di-*
 17 *rectly to United States companies providing goods*
 18 *and services in support of United Nations peacekeep-*
 19 *ing activities; and*

20 (2) *such contributions should be made in con-*
 21 *sultation with the Secretaries of State and Defense.*

22 **(146)** *POLICY REGARDING HUMANITARIAN AID TO HAITI*

23 *SEC. 590. It is the sense of the Senate that the Sec-*
 24 *retary of State, the Secretary of the Treasury, and the Ad-*
 25 *ministrator of the Agency for International Development*

1 (4) *The Cambodian Parliament took action on*
2 *July 6, 1994, to outlaw the Khmer Rouge.*

3 (5) *Ceding any position in the freely elected gov-*
4 *ernment of Cambodia to the Khmer Rouge is not in*
5 *the interest of the Cambodian people and is incom-*
6 *patible with a constructive United States-Cambodia*
7 *relationship.*

8 (6) *Cambodian officials have requested military*
9 *assistance from a number of nations, including the*
10 *United States.*

11 (7) *The United States administration, in con-*
12 *sultation with its allies, is in the process of determin-*
13 *ing the appropriate type and level of United States*
14 *military assistance to Cambodia.*

15 (8) *Congress is concerned that absent proper*
16 *training, professionalism and adequate salaries, pro-*
17 *viding Cambodian forces with arms and ammunition*
18 *will not be beneficial.*

19 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
20 *ate that—*

21 (1) *In concert with interested democratic na-*
22 *tions, the United States should provide non-combat*
23 *military training assistance to the newly democratic*
24 *government of Cambodia.*

1 (2) *Military assistance should include efforts to*
2 *establish an orderly and equitable promotion process,*
3 *establish an effective command structure, establish a*
4 *viable and effective system of military justice, estab-*
5 *lish effective logistics, establish modern communica-*
6 *tions networks, establish dependable accounting proce-*
7 *dures, promote human rights and respect for the rule*
8 *of law and promote respect for civilian leadership of*
9 *the military.*

10 (3) *The President should make every effort to*
11 *fully utilize requested 1994 and 1995 levels of IMET*
12 *for Cambodia to expand the program beyond its cur-*
13 *rent scope.*

14 (4) *The President should consider qualified Cam-*
15 *bodians for admission to United States military*
16 *academies.*

17 (5) *The President should dispatch as soon as*
18 *possible a military attache to the United States Em-*
19 *bassy in Cambodia.*

20 (6) *Lethal assistance should not be provided to*
21 *Cambodia until such time as the President can certify*
22 *the professionalization of the Cambodian Armed*
23 *Forces.*

24 (7) *No military assistance should be provided the*
25 *Cambodian Armed Forces if the Government includes*

1 *members of the Khmer Rouge or if the Constitution*
2 *promulgated on September 24, 1993 fails.*

3 *(8) No military assistance should be provided in*
4 *concert with the Democratic Peoples' Republic of*
5 *Korea.*

6 *(9) The President should convey to Thailand*
7 *United States concern over the continued support for*
8 *the Khmer Rouge by elements of the Thai military*
9 *and to urge the Thai Government to intensify its ef-*
10 *forts to terminate that support, in accordance with*
11 *the Paris Peace Accords.*

12 **(149) INDONESIA**

13 *SEC. 593. The United States should continue to refrain*
14 *from selling or licensing for export to the Government of*
15 *Indonesia defense articles such as small or light arms and*
16 *crowd control items until the Secretary of State determines*
17 *and reports to the Committees on Appropriations that there*
18 *has been significant progress made on human rights in East*
19 *Timor and elsewhere in Indonesia, including in such areas*
20 *as:*

21 *(1) complying with the recommendations in the*
22 *United Nations Special Repporteur's January 1992*
23 *report and the March 1993 recommendations of the*
24 *United Nations Human Rights Commission;*

1 (2) significantly reducing Indonesia's troop pres-
2 ence in East Timor; and

3 (3) participating constructively in the United
4 Nations Secretary General's efforts to resolve the sta-
5 tus of East Timor.

6 **(150)** UNITED STATES PANEL OF THE JOINT COMMITTEE
7 ON UNITED STATES–JAPAN CULTURAL AND EDU-
8 CATIONAL COOPERATION

9 SEC. 594. Section 4 of the Japan-United States
10 Friendship Act (22 U.S.C. 2903) is amended by adding at
11 the end the following new subsection:

12 “(d) The membership of the United States Panel of the
13 Joint Committee on United States-Japan Cultural and
14 Educational cooperation shall be drawn from among indi-
15 viduals who are deeply familiar with Japan and United
16 States-Japan relations, as demonstrated in their profes-
17 sional careers, and who have performed distinguished serv-
18 ice in—

19 “(1) law, business, or finances;

20 “(2) education, training, or research at post-sec-
21 ondary levels;

22 “(3) the media or publishing;

23 “(4) foundation or philanthropic activity;

24 “(5) the American arts, culture, or the human-
25 ities; or

1 (2) *the Security Council is the United Nations*
2 *body chiefly responsible for matters of peace and secu-*
3 *rity;*

4 (3) *any country accorded permanent membership*
5 *in an expanded Security Council must be capable of*
6 *fulfilling all of the responsibilities equated with such*
7 *status, including participation in any United Na-*
8 *tions military operations;*

9 (4) *according permanent membership to nations*
10 *not capable of carrying out these responsibilities will*
11 *allow those countries to play a central role in shaping*
12 *United Nations peacekeeping and peacemaking oper-*
13 *ations which could endanger the lives of American*
14 *and other troops, but in which their own forces could*
15 *play no part;*

16 (5) *Japan and Germany, as the world's second*
17 *and third largest economies, respectively, have at-*
18 *tained levels of global reach and influence equal to or*
19 *surpassing current permanent members of the Secu-*
20 *rity Council;*

21 (6) *Germany and Japan have announced their*
22 *desire to gain permanent membership in the Security*
23 *Council;*

24 (7) *Japan currently maintains that its constitu-*
25 *tion prohibits the country from carrying out all the*

1 *peacekeeping and peacemaking responsibilities that*
2 *permanent membership entails;*

3 *(8) Japan's ruling coalition government appears*
4 *unwilling to address these issues, even in the face of*
5 *a potential crisis on the Korean peninsula which may*
6 *well require multilateral military action;*

7 *(9) the German High Court, sitting in*
8 *Karlsruhe, Germany, ruled, on July 12, 1994, that*
9 *the German constitution contains no prohibition*
10 *against the overseas deployment of Germany's armed*
11 *forces in multilateral peacekeeping operation.*

12 *(b) Now, therefore, be it the sense of the Senate that—*

13 *(1) since Germany has addressed the problem of*
14 *its participation in multilateral military activities,*
15 *the United States should support that nation's*
16 *prompt elevation to permanent Security Council*
17 *membership;*

18 *(2) Japan be encouraged to discuss thoroughly*
19 *and openly its own problems in participating in such*
20 *activities, and take whatever steps are necessary to*
21 *enable it to fully engage in any form of United Na-*
22 *tions peacekeeping or peacemaking operation; and*

23 *(3) the United States should actively support Ja-*
24 *pan's effort to gain permanent membership only after*
25 *Japan takes such steps.*

1 **(152)** *POLICY REGARDING GERMAN PARTICIPATION IN*
2 *INTERNATIONAL PEACEKEEPING OPERATIONS*

3 *SEC. 597. (a) FINDINGS.—The Congress finds that—*

4 *(1) for more than four decades following the Sec-*
5 *ond World War, Germany was a divided nation;*

6 *(2) notwithstanding the creation of the Federal*
7 *Republic of Germany on September 7, 1949, and the*
8 *German Democratic Republic on October 7, 1949, the*
9 *Four Allied Powers retained rights and responsibil-*
10 *ities for Germany as a whole;*

11 *(3) the Federal Republic of Germany acceded to*
12 *the United Nations Charter without reservation,*
13 *“accept[ing] the obligations contained in the Charter*
14 *. . . and solemnly undertak[ing] to carry them out”,*
15 *and was admitted as a member of the United Nations*
16 *on September 26, 1973;*

17 *(4) the Federal Republic of Germany’s admission*
18 *to the United Nations did not alter Germany’s divi-*
19 *sion nor infringe upon the rights and responsibilities*
20 *of the Four Allied Powers for Germany as a whole;*

21 *(5) these circumstances created impediments to*
22 *the Federal Republic of Germany fulfilling all obliga-*
23 *tions undertaken upon its accession to the United Na-*
24 *tions Charter;*

1 (6) *Germany was unified within the Federal Re-*
2 *public of Germany on October 3, 1990;*

3 (7) *with the entry into force of the Final Settle-*
4 *ment With Respect to Germany on March 4, 1991, the*
5 *unified Germany assumed its place in the community*
6 *of nations as a fully sovereign national state;*

7 (8) *German unification and attainment of full*
8 *sovereignty and the Federal Republic's history of*
9 *more than four decades of democracy have removed*
10 *impediments that have prevented its full participa-*
11 *tion in international efforts to maintain or restore*
12 *international peace and security;*

13 (9) *international peacekeeping, peacemaking,*
14 *and peace-enforcing operations are becoming increas-*
15 *ingly important for the maintenance and restoration*
16 *of international peace and security;*

17 (10) *United Nations Secretary General Boutros*
18 *Boutros-Ghali has called for the "full participation of*
19 *Germany in peacekeeping, peacemaking, and peace-*
20 *enforcing measures";*

21 (11) *the North Atlantic Council, meeting in min-*
22 *isterial session on June 4, 1992, and December 17,*
23 *1992, stated the preparedness of the North Atlantic*
24 *Alliance to "support, on a case-by-case basis in ac-*
25 *cordance with our own procedures, peacekeeping ac-*

1 *tivities under the responsibility of the Conference on*
2 *Security and Cooperation in Europe” and “peace-*
3 *keeping operations under the authority of the United*
4 *Nations Security Council”;*

5 *(12) the Federal Republic of Germany partici-*
6 *parted in these North Atlantic Council meetings and*
7 *fully associated itself with the resulting communiques;*

8 *(13) the Western European Union (WEU) Min-*
9 *isterial Council, in the Petersberg Declaration adopt-*
10 *ed June 19, 1992, declared that “As the WEU devel-*
11 *ops its operational capabilities in accordance with the*
12 *Maastricht Declaration, we are prepared to support,*
13 *on a case-by-case basis and in accordance with our*
14 *own procedures, the effective implementation of con-*
15 *flict-prevention and crisis-management measures, in-*
16 *cluding peacekeeping activities of the CSCE or the*
17 *United Nations Security Council”;*

18 *(14) the Federal Republic of Germany presided*
19 *over this Western European Union Ministerial Coun-*
20 *cil meeting and fully associated itself with the*
21 *Petersberg Declaration;*

22 *(15) the Federal Republic of Germany, by virtue*
23 *of its political, economic, and military status and po-*
24 *tential, will play an important role in determining*

1 *the success or failure of future international efforts to*
2 *maintain or restore international peace and security;*

3 *(16) the Federal Constitutional Court of Ger-*
4 *many has ruled that the Basic Law of Germany per-*
5 *mits the Armed Forces of Germany to participate in*
6 *international military operations, including combat*
7 *operations, conducted under a system of collective se-*
8 *curity, including the United Nations, the North At-*
9 *lantic Treaty Organization, and the Western Euro-*
10 *pean Union;*

11 *(17) Germany is currently engaged in a debate*
12 *on the proper role for the German military in the*
13 *international community;*

14 *(18) one important element in the German de-*
15 *bate is the attitude of the international community*
16 *toward full German participation in international*
17 *peacekeeping, peacemaking, and peace-enforcing oper-*
18 *ations;*

19 *(19) it is, therefore, appropriate for the United*
20 *States, as a member of the international community*
21 *and as a permanent member of the United Nations*
22 *Security Council, to express its position on the ques-*
23 *tion of such German participation; and*

24 *(20) distinctions between peacekeeping, peace-*
25 *making, and peace-enforcing measures are becoming*

1 *blurred, making absolute separation of such measures*
2 *difficult, if not impossible.*

3 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
4 *gress that—*

5 *(1) an appropriate response under current cir-*
6 *cumstances to Germany's past would be for Germany*
7 *to participate fully in international efforts to main-*
8 *tain or restore international peace and security; and*

9 *(2) the President should strongly encourage Ger-*
10 *many, in light of its increasing political and eco-*
11 *nomical influence, its successful integration into inter-*
12 *national institutions, and its commitment to peace*
13 *and democratic ideals, to assume full and active par-*
14 *ticipation in international peacekeeping, peace-*
15 *making, and peace-enforcing operations.*

16 **(153)** *UNITED NATIONS OFFICE OF INSPECTOR GENERAL*

17 *SEC. 598. The Senate hereby reaffirms that section 401*
18 *of the Foreign Relations Authorization Act, Fiscal Years*
19 *1994 and 1995 (Public Law 103–236) remains in effect,*
20 *including all its terms and conditions relating to the estab-*
21 *lishment of an independent office of Inspector General with-*
22 *in the United Nations.*

23 **(154)** *REGARDING THE EXTRADITION TO THE UNITED*

24 *STATES OF MOHAMMAD ISMAIL ABEQUA*

25 *SEC. 599. (a) The Senate finds that—*

1 (1) *Mohammad Ismail Abequa is a naturalized*
2 *United States citizen who is alleged to have strangled*
3 *his estranged wife, Nihal Abequa, in Morris County,*
4 *New Jersey on July 3, 1994;*

5 (2) *Mohammad Ismail Abequa fled to Amman,*
6 *Jordan on July 5, 1994, with the couple's two chil-*
7 *dren Sami and Lisa, aged 3 and 6 years old, respec-*
8 *tively;*

9 (3) *New Jersey officials have confirmed that Mo-*
10 *hammad Ismail Abequa arrived in Amman on July*
11 *6, 1994, via an international flight from London and*
12 *that he had the two children in his custody upon ar-*
13 *rival in Jordan;*

14 (4) *Mohammad Ismail Abequa reportedly has a*
15 *record of wife beating and child abuse while living in*
16 *New Jersey, and the children could be in danger;*

17 (5) *the children have a close relative, Nihal's sis-*
18 *ter, who, reportedly, will care for and nurture them*
19 *in New Jersey; and*

20 (6) *the personal involvement of King Hussein of*
21 *Jordan in finding the children quickly could prevent*
22 *their serious injury by Abequa.*

23 (b) *The Senate hereby expresses its concern both that*
24 *Mohammad Ismail Abequa be brought to justice and that*
25 *the safety of the two children held by Abequa be ensured.*

1 (c) *It is the sense of the Senate that—*

2 (1) *the Government of Jordan should use its re-*
3 *sources to apprehend and extradite Mohammad*
4 *Ismail Abequa to the United States where he will be*
5 *afforded the due process of the laws of the State of*
6 *New Jersey; and*

7 (2) *the appropriate officials of the Department of*
8 *Justice and the Department of State should work ag-*
9 *gressively toward that goal.*

10 **(155)** *SUPPORT FOR HUMAN RIGHTS AND OTHER*
11 *NONGOVERNMENTAL ORGANIZATIONS IN INDONESIA*

12 *SEC. 599A. Of the funds appropriated by this Act,*
13 *\$250,000 shall be made available to support nongovern-*
14 *mental human rights organizations in Indonesia, and*
15 *\$250,000 shall be made available to support nongovern-*
16 *mental environmental organizations to assess or otherwise*
17 *address acute environmental problems, particularly those*
18 *affecting indigenous peoples, in Indonesia.*

19 **(156)** *EUROPEAN SECURITY*

20 *SEC. 599B. (a) FINDINGS.—The Senate finds that—*

21 (1) *The United States maintains a continuing*
22 *interest in the security of Europe.*

23 (2) *The North Atlantic Treaty Organization re-*
24 *mains the principal guarantor of European security.*

1 (3) *The security concerns of the United States*
2 *and Europe are best addressed through the collective*
3 *security arrangement of the North Atlantic Treaty*
4 *Organization.*

5 (4) *The North Atlantic Treaty Organization is*
6 *not an offensive threat to any nation not part of the*
7 *North Atlantic Treaty.*

8 (b) *SENSE OF THE SENATE.*—*It is the sense of the Sen-*
9 *ate that—*

10 (1) *The North Atlantic Treaty Organization*
11 *should invite Poland, the Czech Republic, Hungary*
12 *and Slovakia to accede to the North Atlantic Treaty*
13 *under Article 10 of the Treaty at such time as each*
14 *is in a position to further the principles of the Treaty*
15 *and contribute to the security of the North Atlantic*
16 *area.*

17 (2) *Accession to the North Atlantic Treaty should*
18 *include a commitment to the security of new members*
19 *according to Article 5 of the Treaty.*

20 (3) *The President should pursue within the*
21 *North Atlantic Council the adoption of criteria and*
22 *timetables for determining the ability of each nation*
23 *to further the principles of the North Atlantic Treaty*
24 *and contribute to the security of the North Atlantic*
25 *area.*

1 (4) *Within 90 days of the passage of this Act, the*
2 *President should report to the appropriate congress-*
3 *sional committees the criteria and timetables the*
4 *United States will pursue within the North Atlantic*
5 *Council.*

6 **(157)** *DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA,*

7 *NUCLEAR WEAPONS*

8 *SEC. 599C. No funds appropriated under this Act or*
9 *any other Act may be made available to the Democratic*
10 *People's Republic of Korea until the President certifies and*
11 *reports to Congress that the Democratic People's Republic*
12 *of Korea—*

13 (1) *does not possess nuclear weapons;*

14 (2) *has halted its nuclear weapons program; and*

15 (3) *has not exported weapons-grade plutonium.*

16 **(158)** *LIMITATION ON USE OF FUNDS FOR CONTRIBUTION*
17 *TO THE ENHANCED STRUCTURAL ADJUSTMENT FACILITY*

18 *SEC. 599D. (a) LIMITATION.—Not more than*
19 *\$20,000,000 of the amount appropriated under title I under*
20 *the heading “CONTRIBUTION TO THE ENHANCED STRUC-*
21 *TURAL ADJUSTMENT FACILITY OF THE INTERNATIONAL*
22 *MONETARY FUND” shall be available until the Bipartisan*
23 *Commission described in subsection (b) submits the report*
24 *described in subsection (c).*

1 (b) *BIPARTISAN COMMISSION.*—*There shall be estab-*
2 *lished a Bipartisan Commission whose members shall be*
3 *appointed within 2 months of enactment of this Act to con-*
4 *duct a complete review of the salaries and benefits of World*
5 *Bank and International Monetary Fund employees and*
6 *their families. The Commission shall be composed of—*

7 (i) *1 member appointed by the President;*

8 (ii) *1 member appointed by the Speaker of the*
9 *House of Representatives;*

10 (iii) *1 member appointed by the Minority Lead-*
11 *er of the House of Representatives;*

12 (iv) *1 member appointed by the Majority Leader*
13 *of the Senate;*

14 (v) *1 member appointed by the Minority Leader*
15 *of the Senate;*

16 (vi) *SALARIES AND EXPENSES.*—*The salaries*
17 *and expenses of the Commission and the Commis-*
18 *sion's staff may be paid out of funds made available*
19 *under this Act.*

20 (c) *COVERED REPORT.*—*Within 6 months after ap-*
21 *pointment, the Commission shall submit a report to the*
22 *President, the Speaker of the House of Representatives and*
23 *the Chairman of the Senate Foreign Relations Committee*
24 *which includes the following—*

1 (i) a review of the existing salary paid and bene-
2 fits received by the employees of the World Bank and
3 the IMF:

4 (ii) a review of all benefits paid by the World
5 Bank and the IMF to family members and depend-
6 ents of the employees of the World Bank and the IMF;

7 (iii) a review of all salary and benefits paid to
8 employees and dependents of the World Bank and the
9 IMF as compared to all salary and benefits paid to
10 comparable positions for employees of United States
11 banks.

12 **(159)** PRISONER TRANSFERS

13 SEC. 599E. (a) SHORT TITLE.—This section may be
14 cited as the “Prisoner Transfer Equity Act”.

15 (b) PURPOSE.—The purpose of this section is to relieve
16 overcrowding in Federal and State prisons by providing
17 for the transfer of criminal aliens convicted of crimes in
18 the United States back to their native countries to serve the
19 balance of their sentences.

20 (c) FINDINGS.—The Congress makes the following find-
21 ings:

22 (1) The cost of incarcerating an illegal alien in
23 a Federal or State prison can cost as much as
24 \$25,000 per year.

1 (2) *There are approximately 46,000 convicted*
2 *criminal aliens serving in American prisons, includ-*
3 *ing 25,000 convicted criminal aliens serving in State*
4 *prisons and 21,000 convicted criminal aliens serving*
5 *in Federal prisons.*

6 (3) *Many of these convicted criminal aliens are*
7 *also illegal aliens, but the Immigration and Natu-*
8 *ralization Service does not have exact data on how*
9 *many.*

10 (4) *The combined cost to Federal and State gov-*
11 *ernments for the incarceration of convicted criminal*
12 *aliens is approximately \$1,200,000,000.*

13 (5) *There are approximately 2,500 American*
14 *citizens serving in prisons outside the United States.*

15 (6) *The United States has entered into over 25*
16 *prisoner exchange treaties. Since 1977, under these*
17 *treaties, the United States sent approximately 1,200*
18 *prisoners to other countries but has received approxi-*
19 *mately 1,400 prisoners that it had to imprison. This*
20 *has added to United States prison overcrowding.*

21 (d) *PRISONER TRANSFER TREATIES.*—*No later than*
22 *90 days after the date of enactment of this Act, the President*
23 *should begin to negotiate prisoner transfer treaties, or re-*
24 *negotiate existing prisoner transfer treaties, with countries*
25 *that currently have more prisoners in United States prisons*

1 *than there are United States citizens in their prisons, to*
2 *carry out the purpose of this Act. The focus of these negotia-*
3 *tions should be on the transfer of illegal aliens who are serv-*
4 *ing in United States prisons.*

5 *(e) REPORT; WITHHOLDING OF ASSISTANCE.—*

6 *(1) REPORTS.—Not later than 1 year after the*
7 *date of enactment of this Act, and not later than*
8 *March 30 each year thereafter, the President shall*
9 *submit a report to Congress on the progress of nego-*
10 *tiations undertaken under subsection (d) since the*
11 *date of enactment of this Act or the date of submis-*
12 *sion of the last report, as the case may be.*

13 *(2) WITHHOLDING OF ASSISTANCE.—Whenever—*

14 *(A) a report submitted under paragraph (1)*
15 *indicates that no progress has been made in ne-*
16 *gotiations under subsection (d) with a foreign*
17 *country, and*

18 *(B) the United States continues to main-*
19 *tain a surplus of prisoners who are nationals of*
20 *that country,*

21 *then, for the remainder of the fiscal year, and each*
22 *fiscal year thereafter until progress is reported under*
23 *subsection (a), not less than one percent or more than*
24 *10 percent of United States bilateral assistance allo-*
25 *cated for that country (but for this provision) shall be*

1 *withheld from obligation and expenditure for that*
2 *country.*

3 (3) *DEFINITION.*—*As used in this section, the*
4 *term “United States bilateral assistance” means—*

5 (A) *assistance under the Foreign Assistance*
6 *Act of 1961 other than assistance provided*
7 *through international organizations or other*
8 *multilateral arrangements; and*

9 (B) *sales and sales financing under the*
10 *Arms Export Control Act.*

11 (f) *WAIVER AUTHORITY.*—*The President may waive*
12 *the application of subsection (e)(2) if such an application*
13 *would jeopardize relationships between the United States*
14 *and a foreign country that the President determines to be*
15 *in the national interest. Whenever the President exercises*
16 *the waiver authority of this section, the President shall sub-*
17 *mit a statement in writing to Congress setting forth the*
18 *justification for the exercise of the waiver.*

19 (g) *DIPLOMATIC EFFORTS.*—*For each country that*
20 *does not receive United States assistance and for which the*
21 *conditions of subsections (e)(2)(A) and (e)(2)(B) apply, the*
22 *President should use such diplomatic offices and powers as*
23 *may be necessary to make progress in negotiating or*
24 *renegotiating a prisoner transfer treaty.*

1 (h) *RULE OF CONSTRUCTION.*—*Nothing in this section*
2 *may be construed to alter or affect the existing immigra-*
3 *tion, refugee, political asylum laws of the United States nor*
4 *any Federal, State, or local criminal laws*

5 **(160)** *SENSE OF THE CONGRESS ON THE USE OF FUNDS*
6 *FOR UNITED STATES MILITARY OPERATIONS IN HAITI*

7 *SEC. 599F. (a) STATEMENT OF POLICY.*—*It is the*
8 *sense of the Congress that—*

9 (1) *all parties should honor their obligations*
10 *under the Governor’s Island Accord of July 3, 1993*
11 *and the New York Pact of July 16, 1993;*

12 (2) *the United States has a national interest in*
13 *preventing uncontrolled emigration from Haiti; and*

14 (3) *the United States should remain engaged in*
15 *Haiti to support national reconciliation and further*
16 *its interest in preventing uncontrolled emigration.*

17 (i) *LIMITATION.*—*It is the sense of the Congress that*
18 *funds appropriated by this Act or any other Act should not*
19 *be obligated or expended in Haiti unless—*

20 (1) *authorized in advanced by the Congress; or*

21 (2) *the temporary deployment of United States*
22 *Armed Forces into Haiti is necessary in order to pro-*
23 *tect or evacuate United States citizens from a situa-*
24 *tion of imminent danger and the President reports as*

1 *soon as practicable to Congress after the initiation of*
2 *the temporary deployment; or*

3 (3) *the deployment of United States Armed*
4 *Forces into Haiti is vital to the national security in-*
5 *terests of the United States, including but not limited*
6 *to the protection of American citizens in Haiti, there*
7 *is not sufficient time to seek and receive Congres-*
8 *sional authorization, and the President reports as*
9 *soon as is practicable to Congress after the initiation*
10 *of the deployment, but in no case later than forty*
11 *eight hours after the initiation of the deployment; or*

12 (4) *the President transmits to the Congress a*
13 *written report pursuant to subsection (c).*

14 (c) *REPORT.—It is the sense of the Congress that the*
15 *limitation in subsection (b) should not apply if the Presi-*
16 *dent reports in advance to Congress that the intended de-*
17 *ployment of United States Armed Forces into Haiti—*

18 (1) *is justified by United States national secu-*
19 *rity interests;*

20 (2) *will be undertaken only after necessary steps*
21 *have been taken to ensure the safety and security of*
22 *United States Armed Forces, including steps to ensure*
23 *that United States Armed Forces will not become tar-*
24 *gets due to the nature of their rules of engagement;*

1 (3) will be undertaken only after an assessment
2 that—

3 (A) the proposed mission and objectives are
4 most appropriate for the United States Armed
5 Forces rather than civilian personnel or armed
6 forces from other nations, and

7 (B) that the United States Armed Forces
8 proposed for deployment are necessary and suffi-
9 cient to accomplish the objectives of the proposed
10 mission;

11 (4) will be undertaken only after clear objectives
12 for the deployment are established;

13 (5) will be undertaken only after an exit strategy
14 for ending the deployment has been identified; and

15 (6) will be undertaken only after the financial
16 costs of the deployment are estimated.

17 (d) *DEFINITION.*—As used in this section, the term
18 “United States military operations in Haiti” means the
19 continued deployment, introduction or reintroduction of
20 United States Armed Forces into the land territory of
21 Haiti, irrespective of whether those Armed Forces are under
22 United States or United Nations command, but does not
23 include activities for the collection of foreign intelligence,
24 activities directly related to the operations of United States

1 *diplomatic or other United States Government facilities, or*
2 *operations to counter emigration from Haiti.*

3 **(161) RESTRICTION**

4 *SEC. 599G. (a) None of the funds appropriated or oth-*
5 *erwise made available by this Act may be obligated for as-*
6 *sistance for the Government of Russia after August 31,*
7 *1994, unless all armed forces of Russia and the Common-*
8 *wealth of Independent States have been removed from all*
9 *Baltic countries or that the status of those armed forces have*
10 *been otherwise resolved by mutual agreement of the parties.*

11 *(b) Subsection (a) does not apply to assistance that*
12 *involves the provision of student exchange programs, food,*
13 *clothing, medicine or other humanitarian assistance or to*
14 *housing assistance for officers of the armed forces of Russia*
15 *or the Commonwealth of Independent States who are re-*
16 *moved from the territory of Estonia, Latvia, Lithuania, or*
17 *countries other than Russia.*

18 *(c) Subsection (a) does not apply if after August 31,*
19 *1994, the President determines that the provision of funds*
20 *to the Government of Russia is in the national security in-*
21 *terest.*

22 *(d) Section 568 of this Act is null and void.*

1 **(162)** *ADDITIONAL COUNTRIES ELIGIBLE FOR*
2 *PARTICIPATION IN ALLIED DEFENSE COOPERATION*

3 *SEC. 599H. (a) SHORT TITLE.—This section may be*
4 *cited as the “NATO Participation Act”.*

5 *(b) TRANSFER OF EXCESS DEFENSE ARTICLES.—The*
6 *President may transfer excess defense articles under section*
7 *516 of the Foreign Assistance Act of 1961 or under the Arms*
8 *Export Control Act to Poland, Hungary, and the Czech Re-*
9 *public.*

10 *(c) LEASES AND LOANS OF MAJOR DEFENSE EQUIP-*
11 *MENT AND OTHER DEFENSE ARTICLES.—Section 63(a)(2)*
12 *of the Arms Export Control Act (22 U.S.C. 2796b) is*
13 *amended by striking “or New Zealand” and inserting “New*
14 *Zealand, Poland, Hungary, or the Czech Republic”.*

15 *(d) LOAN MATERIALS, SUPPLIES, AND EQUIPMENT*
16 *FOR RESEARCH AND DEVELOPMENT PURPOSES.—Section*
17 *65(d) of the Arms Export Control Act (22 U.S.C. 2796d(d))*
18 *is amended—*

19 *(1) by striking “or” after “United States)” and*
20 *inserting a comma; and*

21 *(2) by inserting before the period at the end the*
22 *following: “, Poland, Hungary, or the Czech Repub-*
23 *lic”.*

24 *(e) COOPERATIVE MILITARY AIRLIFT AGREEMENTS.—*
25 *Section 2350c(e)(1)(B) of title 10, United States Code, is*

1 amended by striking “and the Republic of Korea” and in-
2 serting “the Republic of Korea, Poland, Hungary, and the
3 Czech Republic”.

4 (f) *PROCUREMENT OF COMMUNICATIONS SUPPORT AND*
5 *RELATED SUPPLIES AND SERVICES.*—Section
6 2350f(d)(1)(B) is amended by striking “or the Republic of
7 Korea” and inserting “the Republic of Korea, Poland, Hun-
8 gary, or the Czech Republic”.

9 (g) *STANDARDIZATION OF EQUIPMENT WITH NORTH*
10 *ATLANTIC TREATY ORGANIZATION MEMBERS.*—Section
11 2457 of title 10, United States Code, is amended by adding
12 at the end the following new subsection:

13 “(g) It is the sense of the Congress that in the interest
14 of maintaining stability and promoting democracy in East-
15 ern Europe, Poland, Hungary, and the Czech Republic,
16 those countries should, on and after the date of enactment
17 of this subsection, be included in all activities under this
18 section related to the increased standardization and en-
19 hanced interoperability of equipment and weapons systems,
20 through coordinated training and procurement activities,
21 as well as other means, undertaken by the North Atlantic
22 Treaty Organization members and other allied countries.”.

23 (h) *INCLUSION OF OTHER EUROPEAN COUNTRIES*
24 *EMERGING FROM COMMUNIST DOMINATION.*—The Presi-
25 dent should recommend legislation to the Congress making

1 *eligible under the provisions of law amended by this section*
2 *such other European countries emerging from communist*
3 *domination as the President may determine if such coun-*
4 *tries—*

5 *(1) have made significant progress toward estab-*
6 *lishing democratic institutions, free market econo-*
7 *mies, civilian control of their armed forces, and the*
8 *rule of law; and*

9 *(2) are likely, within 5 years of such determina-*
10 *tion, to be in a position to further the principles of*
11 *the North Atlantic Treaty and to contribute to the se-*
12 *curity of the North Atlantic area.*

13 **(163)** *GAZA AND JERICHO*

14 *SEC. 599I. (a) None of the funds appropriated by this*
15 *or any other Act may be obligated or expended to create*
16 *in any part of Jerusalem a new office of any department*
17 *or agency of the United States Government for the purpose*
18 *of conducting official United States Government business*
19 *with the Palestinian Authority over Gaza and Jericho or*
20 *any successor Palestinian governing entity provided for in*
21 *the Israel-PLO Declaration of Principles; and*

22 *(b) None of the funds appropriated by this or any other*
23 *Act may be obligated or expended for any officer or em-*
24 *ployee of the United States Government to meet in any part*
25 *of Jerusalem with any official of the Palestinian Authority*

1 *over Gaza and Jericho or any successor Palestinian govern-*
2 *ing entity provided for in the Israel-PLO Declaration of*
3 *Principles for the purpose of conducting official United*
4 *States Government business with such Palestinian Author-*
5 *ity.*

6 **(164)** *INTERNATIONAL TERRORISM*

7 *SEC. 599J. (a) POLICY REGARDING PROVIDING INFOR-*
8 *MATION TO VICTIMS OF INTERNATIONAL TERRORISM.—It is*
9 *the sense of the Senate that—*

10 *(1) in order to assist the families of United*
11 *States citizens who have been the victims of terrorist*
12 *acts, United States Government agencies should pro-*
13 *vide or facilitate the acquisition of evidence relevant*
14 *to the actions brought by American citizens against*
15 *states that support terrorist acts or against individ-*
16 *uals accused of committing terrorist acts.*

17 *(2) the United States Government should cooper-*
18 *ate with United States citizens to the extent that such*
19 *cooperation does not significantly prejudice a pending*
20 *criminal investigation or prosecution, or threaten na-*
21 *tional security interests of the United States.*

22 *(b) REPORT ON STATUS OF EFFORTS OF UNITED*
23 *STATES AGENCIES TO ASSIST AND PROVIDE INFORMATION*
24 *TO VICTIMS OF INTERNATIONAL TERRORISM.—Provided*
25 *further, That:*

1 *on Their Destruction, and the Wyoming “Memorandum of*
2 *Understanding Regarding a Bilateral Verification Experi-*
3 *ment and Data Exchange Related to Prohibition of Chemi-*
4 *cal Weapons” (including the disclosure of the existence of*
5 *its binary chemical weapons activities).*

6 **(166)** *LIMITATION ON THE USE OF FUNDS FOR THE*

7 *GOVERNMENT OF COLOMBIA*

8 *SEC. 599L. None of the funds appropriated by this Act*
9 *shall be obligated or expended for the Government of Colom-*
10 *bia unless the President determines and certifies that the*
11 *Government of Colombia is taking actions to—*

12 *(1) fully investigate accusations of corruption by*
13 *the narcotics cartels involving senior officials of the*
14 *Government of Colombia;*

15 *(2) implement the legal and law enforcement*
16 *steps necessary to eliminate, to the maximum extent*
17 *possible, bribery and other forms of public corruption;*

18 *(3) reduce illicit drug production to the maxi-*
19 *mum extent which were determined to be achievable*
20 *during the fiscal year;*

21 *(4) significantly disrupt the operations of the*
22 *narcotics cartels; and*

23 *(5) investigate all cases in which any senior Co-*
24 *lombian official is accused or implicated in engaging*
25 *in, encouraging, or facilitating the illicit production*

1 *or distribution of narcotic and psychotropic drugs or*
 2 *other controlled substances.*

3 This Act may be cited as the “Foreign Operations,
 4 Export Financing, and Related Programs Appropriations
 5 Act, 1995”.

Amend the title so as to read: “An Act making ap-
 propriations for foreign operations, export financing, and
 related programs for the fiscal year ending September
 30, 1995, and for other purposes.”.

Passed the House of Representatives May 25, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate July 15 (legislative day, July 11),
 1994.

Attest: MARTHA A. POPE,
Secretary.

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HR 4426 PP—3

HR 4426 PP—4

HR 4426 PP—5

HR 4426 PP—6

HR 4426 PP—7

HR 4426 PP—8

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